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THE

STATE RECORDS

OF

NORTH CAROLINA.

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North Carolina

COLLECTED AND EDITED

BY

WALTER CLARK,

ONE OF THE JUSTICES OF THE SUPREME COURT OF N. C.

VOL. XIII—1778–'79.

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PREFATORY NOTES.

The year 1778 opened with quiet prevailing throughout the borders of the State, but in anticipation of movements projected by Gen. Washington during that winter, North Carolina had offered to reinforce the Grand Army by a temporary addition of five thousand Militia, and, although the occasion did not arise, the expected call for these troops kept the public mind in a state of tension. For the most part the Army lay in winter quarters at Valley Forge, some 23 miles west of Philadelphia, although special corps organized for rapid march harrassed the British outposts and kept in check their foraging parties. All the returns show that about one-half the North Carolinians fit for duty were engaged in these commands outside of the regular quarters. As the winter advanced with its unusual severity, the unhappy situation of the army, and particularly the destitute condition of the North Carolina Line, called for vigorous measures of relief. The only communication being to the Southward, the dependence of the Army for provisions and clothing was on North Carolina and Virginia, and Gov. Caswell was unremitting in his efforts to secure the needed supplies.

Fortunately North Carolina was well stocked with pork, and quantities of salt were obtained from the Bermudas, whose inhabitants, being in sore need of provisions, sent salt here to exchange; and Caswell, who had proclaimed an embargo forbidding the exportation of provisions, would not enforce the measure against that trade.

Our ports were not as yet closed, and vessels entered frequently. The advantages of the harbor at Cape Look Out were speedily utilized, and many cargoes were brought in from France and from the islands south of us, and our privateers were active in seizing prizes.

Some cargoes were purchased abroad on account of the Continental Congress, while others were shipped here on speculation.

Gov. Josiah Martin, who, though in New York, still claimed to be Governor of North Carolina, wrote in January to Lord

Germain, at London, "that the contemptible port of Ocracock has become a great channel of supply to the rebels, while the more considerable ports have been watched by the King's ships. They have received through it very considerable importations." But he intimated that it was now to be closed by the British fleet. Indeed, the value of Look Out Harbor and Ocracock Inlet to the American cause was inestimable. While an occasional vessel reached Wilmington or ran into New River, several came to Edenton or New Bern every month throughout the year.

As soon as attention was called to this trade, at Martin's instance a British ship of war, two sloops and a brig were sent to break it up, and privateersmen from New York and England hovered along the coast. But quite a number of heavy guns had been imported, and batteries were placed in position at Look Out Bay as well as at Ocracock, where likewise the Caswell, under Capt. Willis Williams, was stationed. And so, while the blockading fleet peeped in occasionally, it seldom entered the bay.

The British privateersmen, however, made many captures, and enterprising merchants at New Bern, in addition to other such ventures, fitted out the Bellona, carrying eighteen guns, and the Chatham, to make reprisals. Later two of these British rovers that had given much trouble were captured and carried into Charleston.

To pay for these imported goods, tobacco was shipped as a return cargo; and the State purchased much of that commodity and sent it out on public account. Salt secured by the State was stored and exchanged for pork, and the Governor had men in every section packing pork for the army. Skins and leather were purchased for the use of the Grand Army, and all cloth fit for blankets was obtained for the soldiers, sometimes resort being had to impressment. The people in the Albemarle section, where there were so many industrious Quakers, made quantities of shoes, and these found purchasers not only for Army use but among Northern merchants, who paid high prices for them.

The established route of transportation to the Army was by water to South Quay on the waters of Albemarle Sound, and thence by wagons Northward. But wagons were very scarce, and were difficult to secure. To collect even a dozen the agent of the State was at great trouble and expense; and in order to move a

lot of clothing from Edenton to the Army the wagons belonging to four brigades had to be sent from Pennyslvania. How Gov. Caswell was engaged he himself tells in a letter to Dr. Burke. Under date of Feb. 15, 1778, he says: "I find our nine regiments are far, very far indeed short of their complement of men, and those in camp almost destitute of clothing, which must be very distressing at this inclement season. Add to this the account from the War Office of the scarcity of provisions, and altogether it must hurt the feelings of every man of the least sensibility. The officers of the 6th Battalion are sent home as supernumeraries, with directions to recruit and to obtain every advice and assistance in that necessary business, and recommending to me to devise ways and means for filling the regiments. I am to buy leather and skins, shoes and other clothing, procure manufacturers, set them to work, purchase salt and provisions, and procure boats and wagons for sending those articles on. All this I am really constantly, almost busily employed about myself, receiving very little assistance."

Large issues of paper money, both State and Continental, had already resulted in a depreciated currency, and, speculators having made their appearance, prices rose despite all efforts to check the tendency.

While the legislature in August, 1778, passed a bill to issue 850,000 pounds of new currency to redeem the old money, and the Governor indignantly denounced the speculators as vile wretches, the Judges, in their charges to the Grand Juries, inveighed against "the fascinating spirit of avarice and extortion" that had supplanted the first patriotic ardor of the people. Indeed the Judges in the two admirable charges published in this volume made noble appeals to the people to persevere in their resolve to gain their independence, and dwelt more largely on the principles involved in the Revolution, and on the necessity to make sacrifices for the cause of America, than on the crimes that ordinarily claim the attention of grand juries.

In passing it may be noted that the Governor, finding himself much hampered by the narrow limits of the Executive authority, reminded Cornelius Harnett that he ought to take to himself the blame of so cramping the Executive, thus attributing to Harnett a particular purpose in that direction when the Constitution was being framed.

But even in the darkest of those days there was a silver lining of hope to sustain the patriots. Burgoyne's surrender caused dismay in England. A business letter to the Governor, dated February 9th, 1778, congratulates him on the safe arrival in port of the brig New Bern, ten days out from New Providence, and adds: "Burgoyne being taken, got to England about December 4th. All confusion there. The new Governor for New Providence, and a number of passengers who came over with him, declared there will be a cessation of arms proposed soon; only a majority of 33 in the House of Commons against America being declared independent. They had, with some difficulty, passed a vote for money for another campaign, but North and his Hell-cat were much put to it. On his being pushed hard he begged that if they would not grant money for another campaign, that they would for the purpose of bringing home the troops." And then in May came the great news of the treaty with France, followed quickly by the declaration of war by France against England, and the arrival of an immense French fleet with 4,000 veteran troops off our coast. When a copy of this treaty was received at New Bern "it was immediately published under a display of American and French colors, and a triple discharge of thirteen pieces of cannon and the town company of Militia, which was drawn up for that purpose." And, as the *Gazette* quaintly puts it, "Universal joy appeared in every countenance, great plenty of liquor was given to the populace, and the evening concluded with great good humor and social mirth."

But while during the year there were no hostile outbreaks among the disloyal and disaffected, yet there were many who were not attached to the cause of Independence, and Gov. Josiah Martin, writing from New York in January, 1778, said: "Many refugees, not less than one hundred and fifty, have arrived here from North Carolina since the month of August last, being for the most part mercantile people and natives of Scotland, among them Mr. John Hamilton and Mr. Macleod, the former a merchant of considerable note, long settled there, and the latter a Presbyterian clergyman of good character, who have formed a very spirited, and, in my humble judgment, a well-concerted plan by drawing out of that Province, for his Majesty's service, the loyal Highlanders, of

whom they have two hundred and seventy odd men actually under the most solemn engagements to join them on a summons." Later these men were embodied in a regiment, known as Hamilton's Regiment, and took part in the capture of Savannah in December, 1778.

Our Delegation.—In April, 1778, Dr. Burke became embroiled with the Continental Congress, having expressed himself with great warmth on some matter before that body, and having, after a long and fatiguing session, retired from the chamber, his withdrawal breaking a quorum.

On being sent for, he expressed himself so vehemently that Congress considered that his action involved a contempt of that body. He made what he deemed proper explanations and apologies, and declared that he did not understand that the body had sent for him, but as his explanations were not held satisfactory by Congress, he claimed that he was responsible only to the legislature of the State of North Carolina; and to that body he submitted his case. The legislature, by a resolution, sustained him and upheld the doctrine that he was responsible only to it. He did not desire a re-election, and in May, Penn, Harnett, and John Williams, then Speaker of the House, were chosen delegates. The latter, however, resigned in February, 1779, and the legislature, having determined to increase the delegation, Joseph Hewes and William Sharpe were added to the members.

Judge Iredell, who had been elected one of the Judges, after serving a short while on the bench, desired to retire, the compensation being very inconsiderable, and in June, 1778, he resigned. In February, 1779, John Williams was elected to the vacancy. At the same session Alexander Lillington was elected Brigadier General of the Cape Fear District, in place of Gen. Ashe, promoted.

The Continental Line.—The Continental Line had suffered heavily during the winter of 1777–'78. Col. Abram Sheppard's Regiment, the 10th, spent the winter in the small-pox camp at Georgetown, on the Potomac, where more died with the measles than from the effects of inoculation.

Early in March, 1778, Gen. McIntosh reported that, of our troops at Valley Forge, fifty had died since January in camp; that 200 were then sick in camp, and an equal number were in hospitals in Pennsylvania and New Jersey. The officers of the 6th Regiment appear to have been sent home to recruit more men, and towards the end of February all soldiers on furlough, all new recruits and all apprehended deserters were to assemble at Halifax and accompany the wagon trains to the Army, but the ranks of our battalions were too greatly depleted to be brought back to an effective standard by ordinary measures. In March the number of our privates at Valley Forge was 900; in May, 1,100; while of rank and file there were 1,450.

The General Assembly, in April, passed a bill for the purpose of filling up our Regiments, but shortly afterwards Congress determined on quite another line of action. On May 29th it resolved that the Regiments in camp should be consolidated into new ones, having the same number of men as when the battalions first entered the service; and a call was made on the State to raise four more battalions of Continentals, which, however, were to remain within the State until further orders. Pursuant to this resolution the regiments in the service were reduced to four, the Sixth being consolidated with the First, with Clark as Colonel; the Fourth with the Second, with Patton as Colonel, and the Fifth with the Third, under Col. Sumner. Col. Martin had resigned the previous fall, and now Col. Polk also resigned. Col. Hogun and the supernumerary officers, of whom there were a large number, were directed to return to North Carolina for service in the new battalions when raised.

Efforts to obtain recruits in the usual way having proved unavailing, the legislature provided that 2,648 men should be detached from the Militia, to serve as Continentals for nine months. A certain quota was apportioned to each County, and this number was again apportioned by the Colonel of the County among the Militia companies, so that every Militia company in the State had to furnish its proper share of these troops. Volunteers from each company were first to be called for, and to these a bounty of $100 was offered; then each company, by ballot, selected a sufficient number of drafted men to make up its quota, and these were to receive a bounty of fifty dollars. Every one so

selected became a Continental, and those who faithfully served were, after their nine months' actual service was completed, to be exempt for a period of three years. In May and June the Militia companies assembled and made these selections. These drafted Continentals were to meet at various camps; those raised in the Eastern Counties were to march to Halifax, and then to Petersburg; those from the West were to assemble at Peytonsburg, in Virginia, where Col. Thackston was first in command, and later Col. Armstrong. At that time Col. Sumner was sick at his home in Bute County, near the dividing line of Franklin and Warren, and although he was the ranking officer in the State, the duty of organizing these troops fell on Col. Hogun. Boards of Continental Officers met at Halifax and at Moore's Creek to choose officers for the new battalions, and Col. Hogun was elected to command the first that should be organized. These nine months Continentals from eleven Counties, having assembled at Halifax, in July, 1778, Col. Hogun organized his regiment and marched, 600 strong, to the Northward. In August he reached Philadelphia and hastened on to Washington's Head Quarters at White Plains. In November his regiment was engaged in throwing up the fortifications at West Point, while the four other N. C. regiments constituting the Brigade, then under the command of Col. Clark, and numbering 1,200, rank and file, were with Washington at Fredericksburg, thirty miles further east, on the Connecticut line. In January, 1779, Congress gave tardy recognition to our North Carolina troops, and elected Sumner and Hogun to be Brigadier Generals; the former, being then at the South, remained there. Other companies of these new Continentals went into camp at Duplin Court House, at Salisbury and Hillsboro, and some marched to Peytonsburg; but Congress having failed to send the money offered as bounty, most of them remained at home, and eventually orders were issued placing them all on furlough until March next. But in September the movements of the British about New York led to the conjecture that they intended to make a fall and winter campaign at the South, and South Carolina called for assistance.

The authorities of that State, in communicating with Congress on the subject, urged that Gov. Caswell should be asked to take command of the troops sent by North Carolina, and that he

should have the rank of a Major General. In response, Congress called on North Carolina for a force of three thousand men for service at the South, and Caswell, with his accustomed zeal, ordered out the nine months' Continentals, then on furlough, and urged the Generals of the Militia Brigades to prompt action in sending forward their quotas for this expedition. The details from the Northern Counties were to meet at Kinston, while others assembled at Elizabethtown, where the main division was to move from. Gen. Rutherford, whose alertness and efficiency had been so often proved, was directed to march his brigade as speedily as possible from Salisbury. In the spring, when a similar force was in contemplation to aid Gen. Washington, Caswell had tendered the command to Gen. Ashe, who expressed a disinclination to accept it. Now the Governor insisted on Ashe's acceptance, saying that it would relieve him, as one or the other must go, and that the situation in the State rendered his own presence imperative. To remove an objection, he promised to personally perform the duties of Treasurer of the Southern district for Ashe, who finally accepted the commission of Major General, and proceeded to organize the unarmed and unequipped detachments as they reached Elizabethtown. The supply of guns was entirely inadequate, nearly all the weapons among the people having been furnished to the soldiers sent to the Northern Army. Application was made to South Carolina for arms, but Mr. Laurens, President of that State, could not promise any. Gen. Lincoln, who was passing through the State in November, 1778, to take command of the Southern Department, however, stated that there was a considerable number of arms stored at Charleston, the property of Congress, and he thought our troops could be supplied from that source. Maj. Gen. Robert Howe had been in command in that section, but had incurred the displeasure of the South Carolina authorities,—a woman, it is said, being in the case,—and on the application of the members of Congress from that State, Congress directed him to join Genl. Washington, who highly valued his soldierly qualities, and Gen. Lincoln was appointed to succeed him. It becoming now certain that the British were to make a great effort at the South, Congress, in November, called on North Carolina to increase her force to five

thousand, by sending 2,000 additional militia, and steps were taken to that end.

Gen. Rutherford deemed it best, in view of the condition of affairs in the Washington district, not to take any men from that section. In his letter to Governor Caswell, of November 15, 1778, he said: "No troops can be expected from Washington County. The commanding officers in that County give a lamentable representation of their condition. Their whole strength is employed in the suppression of the savages and other inhuman wretches who have their livelihood from carnage and rapine. When I take a speculative view of the matter, think it prudent not to draft out of that County men, arms or ammunition. We have many malevolent, implacable enemies who range from place to place, embracing every opportunity which presents itself to disseminate sedition among the inhabitants. These Sons of Darkness have not once neglected an opportunity of doing a disservice when it was in their power. A favorable one is now in view. Our troops, our magazines, and a vast quantity of provisions for the support of nature, all drafted from our assistance our unchristian foes, in strong alliance with savage enemy, might probably think at this time of revenging themselves. Some part of our ammunition we will detain, and will expect all the military stores from the lower districts that can be spared."

While Col. Gideon Lamb was charged with the duty of getting the Continentals at the East together and organizing them, Maj. Anthony Lytle performed the like service at the West, whither Col. Sumner himself also went for a time. Maj. Lytle marched with some of the Continentals with Gen. Rutherford, who, without waiting for all of his Brigade to assemble, moved forward with a part of it towards the close of November, passing the South Carolina line before the fifth of December. These troops, driving their beeves and carrying their provisions with them, reached Charleston about Christmas, and being the first to arrive obtained such guns as could be had. President Laurens wrote to Gov. Caswell that he had supplied them with 700 stands of arms, being all that could possibly be spared for the North Carolina troops.

Despite Caswell's best exertions, there was delay in getting the detachments from the East to meet at the rendezvous. On December 5th, Col. Lamb crossed the Neuse with 200 Continent-

als, and up to that time 1,000 Militia had also crossed. Yet, on December 29th, Caswell, at Kinston, wrote to Ashe, who was still detained at Elizabethtown, organizing the details as they slowly came in: "Col. Lamb is here, waiting for upwards of 100 Continental troops and some Militia which he hourly expects. I am really concerned to learn that the troops with you are so far short of the number ordered out. I find by a return from Gen. Rutherford that the Militiamen from several Counties have not joined him, and his Brigade is equally short.

"The deficiency in arms and accoutrements I am sensible of, and equally concerned at, but it seems these deficiencies cannot be remedied here. When I mentioned these difficulties to Gen. Lincoln, from his answers I was led to believe he thought our people could obtain arms there, and I sincerely hope they may. Otherwise, I am well convinced little service can be expected from them with what they have."

Under the Act of Assembly under which Gov. Caswell proceeded in calling these troops into service to aid South Carolina, there was an express limitation as to the time they were to remain in service; and Gov. Caswell wrote to Gen. Ashe: "I believe it was the sense of the Council—I know it was my own—that the troops should not continue in service in the Southern States longer than the 10th of April; that they should then be discharged from that service, but by no means to be disbanded until they return to this State."

When the legislature met, on January 19, 1779, the Governor reported to that body that, of the 5,000 troops called for by Congress, he was fearful that not more than half had marched, and those badly armed.

The British having taken Savannah, had established posts at Augusta and at various intermediate points on the river. Towards the close of February 1779, Gen. Lincoln, with a considerable force, was near Savannah, on the South Carolina side. Above him was Gen. Moultrie's camp, and while Gen. Rutherford's brigade, 700 strong, was 20 miles below the point where Briar Creek, on the Georgia side, empties into the river, Gen. Williamson, with 1,200 men, was higher up towards Augusta. The time having arrived for operations, Ashe moved from the vicinity of Charleston towards the Savannah river, and, rapidly passing Lincoln,

Moultrie and Rutherford, and leaving his baggage, hastened towards Augusta. On his approach the British evacuated that post and fell down the west bank of the river. Ashe, crossing on the 25th, vigorously pursued them, reaching Briar Creek on the 27th. Here he halted, ordered his baggage to cross at a point some 8 miles above, sent a detachment of 600 men under Col. Smith to guard it, and sent another detachment of 400 men under Col. Caswell across the Creek to surprise an outlying British post. Then, after locating his camp, he obeyed a summons from Gen. Lincoln to attend a council of war at Rutherford's camp, where it was agreed that Ashe, being joined by Williamson, who was to have crossed and followed the North Carolinians to Briar Creek, should press down the west bank of the river and clear the way for Rutherford and Lincoln to cross into Georgia.

On Ashe's return at noon, March 2d, he found that Gen. Bryan, who had been left in command, had, on the advice of Col. Elbert, an experienced Continental officer of the Georgia line, moved the camp about a mile, and there being rumors that the British were in the vicinity, had sent out two parties of horse to reconnoitre, and had established a strong line of pickets three-quarters of a mile higher up. Ashe, occupied with the proposed plan of campaign agreed on with Lincoln and Moultrie, which he set about carrying into effect, and, receiving no information from the several reconnoitring parties sent out, gave but little heed to vague rumors that the enemy had moved up and crossed the creek and gotten in his rear. But, at three o'clock on the afternoon of the 3d, a messenger sent by Col. Smith, who was in command of the detachment guarding the baggage some miles up the river, brought information that the enemy was approaching from the North, and immediately thereafter the pickets became engaged. The British column, not at all arrested by them, advanced rapidly with fixed bayonets, their artillery in front, to surprise the camp. At once the drum beat to arms, and the troops, formed in two lines, marched forward to meet the enemy. Col. Elbert, with his small force of 35 Georgia Continentals, was on the right of the first line, on his left being the Militia, who also formed the second line, which was eighty yards to the rear. The enemy were well-trained troops under Genl. Prevost. While the Continentals with Col. Elbert fought heroically, and the Militia in the

first line for a time held their ground and fired once or twice, the second line soon became panic-stricken and fell into confusion, and some fled without ever firing once. The sight of the gleaming bayonets was evidently too much for them. Despite all efforts to stop them, the second line broke for the woods, and then the Militia in the first line gave way, leaving the Continentals alone, who fought until overpowered.

While the loss of life was small, many of the men when they fled threw away their guns, and a large number, taking to the right, where there was no means of escape, were captured; 162 privates and 24 officers were taken prisoners. The others found safety in the swamp, and, crossing the river, were collected by their officers, Gen. Ashe marching over two hundred into Rutherford's camp, that being about one-third of the number, he said, who were in his command when attacked, his force having been greatly reduced by detachments off on special duty. Thus ended in rout and discomfiture an expedition whose beginning was remarkable for dash, energy and enterprise, reflecting credit on the North Carolina Militia.

The loss of arms was great, and as the unarmed men could not be supplied, and no further movement being then undertaken by Gen. Lincoln, when the term of their service was about to expire, the force returned home and was discharged.

In 1776 a body of Light Horse was raised by the State, under Capt. Dickinson, which, at first, Congress refused to receive into the Continental service, but eventually did so. It seems that this command was at one time on duty in New York. Later, the horses giving out, Cosmo de Medici was employed to secure others, but he was not very successful. In 1778 a detachment of this command was at Ft. Pitt, in Western Pennsylvania, but in December Congress resolved to return the company to the State authorities, and in February, 1779, the legislature directed it to be discharged.

In this volume will be found the Legislative Journals for the year 1779, but as the events of that year form the subjects of correspondence published in the succeeding volume, they will be adverted to hereafter.

Walter Clark

STATE RECORDS.

1778.

HENRY LAURENS PRESD'T. CONGRESS TO GOV. CASWELL.

[From Executive Letter Book.]

York Town 1st January 1778.

Sir:

Permit me to refer you to my last under the 26th ulto. in a packet which will accompany this.

My present business is to convey to your Excellency an Act of Congress of the 31st past for promoting a speedy reformation in the army in discipline and economy.

I have the honor to be Sir, your Excellency's most humble servant,

HENRY LAURENS
Presd't. Congress.

SAM'L. JOHNSTON TO GOV. CASWELL.

[From Executive Letter Book.]

Edenton 3d January 1778.

Sir:

The bearer Mr. Colin Clark having been disappointed in getting part of his property down Roanoke River, waits on your Excellency to be indulged with longer time in order that he may avail himself of the privilege allowed persons under his circumstances to remove their property. The fact is that the River has been so low for several months past that no craft could pass till within a few days past, a circumstance which has not occurred so late in the season for many years past, which he hopes will be a sufficient reason with your Excellency and the honorable the Council to grant him the favor he now requests.

Mr. Clark has transacted business as a merchant for several years in this neighborhood, and has always supported an exceptionall character which now induces me at his request to take the liberty of recommending him to your favor which I flatter myself you will have no reason to think ill bestowed.

I am with the greatest respect, Sir your Excellency's most obedient servant,

SAM'L JOHNSTON.

THOS. CRAIKE TO GOV. CASWELL.

[From Executive Letter Book.]

WILMINGTON Jany 8th 1778.

SIR:

I have received from on board the French Sloop which brought despatches to Congress, nine strands of cables, for 3 cables & 262 pieces of sail cloth for acct. of the United States, about 50 pieces of the sail cloth is damaged. I have had them opened and dried, but many parts of them are rotten. The whole are stored in two warehouses which I have rented for that service. I have not as yet purchased anything of the Captain, I offered him 80 shillings pr piece for blankets, which I thought to be at the *rate*, or upwards of 1000 per c; he talked of £8 more for each; he has a few pieces of coarse strands. I have seen the patterns but cannot be informed of their breadth, and he is afraid to open his goods to show them to any person. I expect to set off for Charles Town on Saturday, and I shall write your Excellency any particulars that may occur in that time.

I am your Excellency's mo. ob. humble servant,

THOS. CRAIKE.

A French Brig & a Schooner are at Brunswick and are expected up this tide.

WILLIS WILSON TO GOV. CASWELL.

[From Executive Letter Book.]

EDENTON 9th Jan'ry 1778.

SIR:

I waited on the Virginia Navy Board some time past, and

informed them the impossibility of getting men for the Caswell at the pay they limited me to, which is twenty dollars bounty, & half a dollar per day, provided they ship for three years. They informed me it was not in their power to advance the pay, & instructed me to follow such orders as I might receive from your Excellency from time to time. I think proper to acquaint your Excellency that the merchants give such exhorbitant pay for seamen, that it's entirely out of my power to procure them at the price above mentioned.

Your Excellency's orders how to act, shall be strictly attended to by your mo. ob. hble servt.

WILLIS WILSON.

J. PENN AND CORNS HARNETT TO GOV. CASWELL.

[From Executive Letter Book.]

York Town, Janry 9th, 1778.

Sir:

Col. Palfrey paymaster General this day informed us that Doctor Guyon paymaster to some North Carolina Battalion has returned home without settling his account and that our officers complain of his having failed to pay the men. We are also told that Doctor Guyon is about leaving North Carolina, and going to some of the Islands. We thought it our duty to give your Excellency this information, that should the report be true, you might be able to put a stop to Doctor Guyon's going off. It is said he has received very large sums of money. We hope there is no real foundation for a charge of so black a nature, but at any rate a proper inquiry should be made.

It gives us great concern that we have not received a single letter from your Excellency or from the General Assembly since their meeting, it is absolutely proper that some General officer should be appointed for our State to command the Troops from there. We were under difficulties and wrote to the Assembly desiring that we might be informed which of the Capts. should be promoted. Col. Martin has resigned. We should be glad to receive any commands that the Assembly may think proper to send us.

We got the favor of Alex Gillon Esqr of So Carolina and Mr. Robinson, to take twelve copies of the articles of confederation, which they promised to send to you by express from Halifax, we hope they have come to hand long before this.

The President shall send all the Resolves of Congress himself to the different States, which is one reason of our not writing so often as we should.

General Washington's Army is about 23 miles from Philadelphia, in Huts near the Schuylkill as the most convenient place to prevent the Enemy from plundering the Country.

A few days ago a large Brig was blown ashore five miles below Wilmington, and taken by General Smallwood, it proved a valuable prize there being 7500 stand of arms, Baggage for the officers of 4 Regiments, and a quantity of wine and spirits, three other vessels are said to be drove on shore on the Jersey side, the Inhabitants are taking proper care of their cargoes. We have the honor to be with great respect, your Excellency's mo. ob. hble Servts.

J. PENN,
CORNS. HARNETT.

ANTHONY WARD TO GOV. CASWELL.

[From Executive Letter Book.]

Wilmington, Januy 10th, 1778.

Sir:

Agreeable to your Excellency's orders to me I have had a new Election, and Capt. John Campbell is rechosen, he has his commission, that I fill up. But his officers are without any. If your Excellency will please to send me the Blanks I will fill them, and I also want Blanks for a Company as all the officers are without Commissions. I am Sir, your most ob. huml. Servt.

ANTHONY WARD.

J. LUTTRELL TO HIS EXCELLENCY GOV. CASWELL.

[From Executive Letter Book.]

January 10th, 1778.

SIR:

The Assembly of this State at their last sitting resolved that I should have leave to resign my commission in the army, without incurring the penalties prescribed by a former resolve of their houses, which resolve was made to prevent resignations of the officers on the Continental establishment.

Therefore you as commanding officer of this State, will please to accept my resignation as Lieut. Col. of the 9th Regiment, and your Excellency will much oblige your most obedient humble servant.

J. LUTTRELL.

GOV. CASWELL TO GEN. JONES

[From Executive Letter Book.]

NEWBERN, 11th January, 1778.

SIR:

Enclosed you have copy of Resolutions of the General Assembly respecting the removal of the Military stores, and establishing Guards at Halifax and Kingston.

My view in sending you these Resolves, are to give you the trouble of looking out for a proper person to be appointed the officer at Halifax, and also the person who will contract to furnish the guard there with provisions which I request the favor of you to do, so soon as you can conveniently, and signify the names of the persons to me, the former of which I shall immediately thereupon commission, and the latter I will furnish with a warrant on the Treasury for any reasonable sum you may advise to enable him to perform such contract as you may make with him.

I consider this business more properly to be executed by you as commanding officer of the District, than any other gentleman in your neighborhood, if you consider it in that light I know you

will cheerfully perform it, and if any other you will excuse the trouble I give you, and believe me to be with great respect,

Sir, your most ob. servt.

R. CASWELL.

GOV. CASWELL TO CORNELIUS HARNETT.

[Executive Letter Book.]

NEWBERN 11th January, 1778

SIR:

I did myself the honor to write you by Capt. Folger whom I met on the road the 27th ulto. since which I received your favor of the 3rd Dec., enclosing a Copy of a Resolution of Congress, respecting our old paper currency which I shall take care to lay before the General Assembly at their first meeting which is now appointed to be on the first Monday in April next, when I have not the least doubt the Legislature will pursue the measures therein recommended by Congress.

Your favor of the first Novr. enclosing resolve directing a General Thanksgiving has been properly attended to, and the resolve carried into effect here.

The resolve you did me the honor to enclose the 5th November, directing a Monument to be erected to the memory of the brave General Nash, I shall cheerfully use the most effectual means in my power to carry into execution in the speediest manner so as to accomplish the views of Congress.

To carry the resolve of Congress into execution which I received under cover of your favor of the 25th November; I have borrowed from the Treasurer of the Northern District in this State 10,000 dollars & draw in his favor on the Continental Treasury for the same, these I hope Congress will direct to be paid when presented, and if I find it will be in my power to lay out further sums on the same account, the Treasurers here are directed by the General Assembly to furnish me with 15,000 dollars more, for which I shall also give bills on the Continental Treasury. The persons I have employed are directed to buy at the following prices, viz:

Deer skins in the hair, at 6 shillings per lb.

Deer Skins, Indian dressed and trimmed 12 shillings pr lb.

Tanned Leather 8 shillings pr lb.

Good Strong Mens Shoes 24 shillings per pr. Dollars at 8 shillings.

These are great prices here, but high as they are I fear these articles will not be purchased in any considerable quantities at those prices even, I shall therefore wish to be advised as soon as may be, if I may venture to exceed them.

The several matters recommended in the papers I had the honor to receive with your favor of the 20th November, were on the receipt of them immediately laid before the General Assembly who came to several Resolutions thereon, a Copy of which is enclosed, which will show the sense of the Legislature respecting these matters.

I have the honor to be with the greatest respect Sir,
your most obedient and very humble servant,
R. CASWELL.

COV. CASWELL TO CORNL. HARNETT & JOHN PENN ESQRS.

[From Executive Letter Book.]

NEWBERN 12th January 1778.

GENTLEMEN,

I did myself the pleasure of writing you the 27th ulto. by a Capt. Folger whom I met on the road, and who was going express from Cape Fear, where he had just arrived from France to Congress which I make no doubt, you have by this time received, since which I have had an opportunity of looking over the Journals of the General Assembly and have obtained such extracts from them as immediately concern you as Delegates for the state. Herewith you will receive as follows:

A Resolve of the 15th Decr. respecting the appointments of Brigadiers, a Resolve of the 19th regarding the measures necessary to adopt for carrying Resolutions of the Congress into execution. Resolve of the 21st Decr. respecting Capt. Hampstead, and a Resolve of the 24th Decr. for an allowance to the Delegates. So far as these Resolutions tend to point out any duty to be performed by you as delegates, I have no doubt of your paying a proper attention to them.

I have directed the Secretary to transmit to the War Office a Copy of our Militia Law and of the aid Bill I mentioned to you in my last, if you shall have occasion to have recourse to them they go by the Post with this.

I have written to the Honorable the President of Congress in answer to several dispatches I was honored with from him. I have informed him of the price, I have directed to be given for sundry articles recommended by Congress to me to purchase viz:

Deer Skins in the Hair at 6 shillings pr lb.

Indian dressed and trimmed 12 shillings pr. lb.

Tanned Leather 8 shillings pr lb.

Good Strong Mens Shoes. 24 shillings pr pr.

These prices will I make no doubt appear to you to be very high, they are so, but I fear even those will not induce the sale of those articles, in any considerable quantities, and whether I may venture to go further, I wish to be informed, the other matter recommended to you, respecting the Militia, in my last I hope soon to hear from you upon, this goes by Post who brought in the last mail but one letter and no papers, so that we have not the least intelligence from the army.

I am with great regard and esteem Gentlemen,

your most obedt humble Servt.

R. CASWELL.

HENRY LAURENS PRESDT OF CONGRESS TO HIS EXCELLENCY GOV. CASWELL N. C.

[From Executive letter book.)

York Town 12th January 1778.

Sir:

I had the honor of your Excellency's letter of the 27th Dec. last evening, brought to me by Mr. John Folger, who delivered me a Packet which he said contained despatches from the Commissioners of these States at Paris, and in the same Instant, intimated that the packet had been opened, by your Excellency, and found to cover nothing more than a number of pieces of blank paper. To my great grief and mortification I presently discovered the latter part of his information to be true, and accordingly reported to Congress this morning. The House was exceedingly chagrined

by the disappointment, and suspicions were so strong the man, as to occasion an immediate examination into particulars, which ended in an order to confine his person until some further inquiry shall be made into this mysterious circumstance.

Congress requests your Excellency will be pleased to transmit as early as possible all the information you can collect from the Master and passengers of the vessel in which Mr. Folger came from France, concerning despatches which they may have seen or heard from him were in his possession, and also such as your Excellency can give from your own knowledge.

Upon his examination he declared—"within eight miles of New Bern I met Gov. Caswell on the 26th Decr. and two other Gentlemen, one a Col. Alcot, they questioned me so closely that after some time I told them I came from France, in a French vessel, the Captain of which was a stage behind on his way to see his Excellency. One of the Gentlemen told me that was his Excellency pointing to Gov. Caswell. We, all lodged at the same house that night. I showed Gov. Caswell the letter I had from Mr. Deane. I desired the Governor's passport which he gave me. I asked his Excellency, not knowing whether he might suspect me as Mr. Deane's letter was unsigned, whether he had a mind to see my papers, and took out the main packet directed "*despatches*," and did not think of his breaking it open. We were in a private room together, the Governor broke it open. I informed him it never had been broke open before. After he had broke open the three seals with which the wrapper was sealed, he run over the directions on the letters. He resealed the packet marked "*despatches A*" putting into it the same letters. When the Governor saw the Blank paper, he said he was surprised and did not know the service of sending clean paper so far. I answered that I was surprised, I did not know that I had clean paper under my care. We both assisted in repacking the letters, and the next morning the Governor gave me the papers."

The line marked 'A' and the next following contains information which implies that letters were put into the packet of clean paper, but when that packet came to my hands it certainly contained nothing but 35 pieces of blank french paper. There was another packet about the size of, or a little larger than the first, which contained foreign news papers and letters as Congress have

been informed, but that was directed to Robert Morris, Esq., and I sent it to his Clerk with eight other letters, and packet which Folger had laid upon my Table.

By the main packet he means this and that, and intimates that your Excellency opened both, but the man's behavior is such as induces the Members of Congress to believe him an arch knave affecting the Fool, my private opinion is that he is a very confused stupid creature altogether unfit for the charge which Mr Deane committed to him, and that some Emissary of the British Court, played him a trick before he left France, by robbing him of the original Packet, and planning this counterfeit on him if he is a knave, he has pressed and prevailed on your Excellency to look into this packet in order to gloss his roguery. I will trouble you no further Sir, with conjectures, but conclude by subscribing with great respect and esteem, your Excellency's most Ob. &. huml. Servt.

HENRY LAURENS
Presdt. of Congress.

CAPT. JAMES EMMET TO GOV. CASWELL.

[From Executive Letter Book.]

X Creek 13th Janry 1778.

Sir:

I did myself the honor to write to your Excellency in November last, enclosing an extract of my orders from Col. Sumner, at the same time requesting your instructions how to proceed; the bearer of my letter brought me a verbal answer that you would write to me, at a future day, as yet I have not heard from you, which is the reason of my troubling you at this time.

I intend to set out for camp early next month, if in your Excellency's power, must request you would advance me two hundred pounds. I have drawn no money for either pay or rations since July last, and shall find it extremely difficult to join my Regiment except you will favor me with the above request. This will be handed you by Mr. James Porterfield, by whom I shall be glad to receive your answer, with your instructions. Mr. Porterfield's

receipt will be sufficient for what money you shall be pleased to pay into his hands for me. I am with due respect Sir,

Your Excellency's mo. ob. servt.

JAMES EMMET.

A. MACLAINE TO GOV. CASWELL,

[From Executive Letter Book.]

WILMINGTON 14th Janry 1778.

DEAR SIR:

When I left New Bern I did not know who would accept the appointment of Notary, and therefore would not make any application to your Excellency for this place.

Mr. John DuBois one of the Justices of New Hanover county, has consented to act in that department, if your Excellency should think proper to appoint him; and as there is not any lawyer resident in the town, and few would take the trouble of it, I beg leave to recommend Mr. DuBois as a gentleman of diligence and application. He shall have all the instructions in my power, and he will be possessed of the Notary's Register, to which he can refer upon every occasion, that may happen. I am with much respect Dear Sir,

Your Excellency's obedient servant,

A. MACLAINE.

GOV. CASWELL TO GEN. ASHE.

[From Executive Letter Book.]

NEWBERN, 14th January 1778.

SIR:

The Guard of Militia over the Magazine and Stores at Wilmington, being no longer necessary, you are requested to Disband the same on receipt hereof.

I am Sir, your mo. obt. Servt.

R. CASWELL.

Genl. Ashe, or commanding officer of Militia, Wilmington.

GOV. CASWELL TO GEN. SKINNER.

[From Executive Letter Book.]

NEWBERN, 14th January, 1778.

SIR:

The Guard of Militia over the Magazine and Gaol at Edenton, being no longer necessary, you are requested to disband the same immediately on the receipt hereof.

I am, Sir, your most ob. servt.

R. CASWELL.

Genl. Skinner or commanding officer of the Militia, Edenton.

ORDER TO RENDEZ-VOUS AT HALIFAX.

[From Executive Letter Book.]

STATE OF NORTH CAROLINA,

RICHARD CASWELL, ESQ.

Governor and Commander in chief of said State.

To the commanding officer of the Continental Troops now in the State aforesaid.

SIR:

You are hereby required to order all the recruits, persons on furlough and Deserters, apprehended in this State to Rendez-vous at Halifax as soon as you think the same may be practicable, so as to make me a general return thereafter, on the last Monday in February next at Johnston Court house, which you are required punctually to do, and to hold yourself and the officers under your command in readiness to march immediately thereafter to such place as you may be directed.

Given at Newbern under my hand and seal at arms, the 14th day of January Anno Domini 1778.

R. CASWELL.

COL. THOS ROBERSON TO GOV. CASWELL.

[From Executive Letter Book.]

Sir :

I am informed by Mr. James Richardson that he has a mind to make a trial, in recruiting agreeably to the Commission sent him and agreeably to the Commission, it will be very troublesome and expensive, to make a return every month to you at NewBern, that if a return was made once in two months, it would not be so expensive nor troublesome, but he informs he has sent a Bond with security for the money that he is to receive, which I am told is about two hundred pounds. That the Bond is for Wm Johnston and Wm Ellis included as securities, they will be sufficient. I have not any more to add at present, only remain

your humble servant

THOS ROBERSON.

Bladen January 19th 1778.

N. B. If the returns would do to be sent to the printing office in Wilmington it might answer much better.

JAS. RICHARDSON TO GOV. CASWELL.

[From Executive Letter Book.]

Bladen County Janry 21st 1778.

This is to acquaint your Excellency that I recd by the hand of Col. Roberson orders to recruit men in the County of Bladen, wherein I am directed to make my Rendezvous in Wilmington, which is no less than 65 miles from me and must make my returns to you on the first day of every month, which is not less than 150 miles from me, that I give good security for my faithful performance.

Notwithstanding those inconveniences, being sensible how much the public may suffer for want of Recruits I have employed the Bearer Mr. Samuel Rootes, to bring this letter, have sent a Bond completed, hope you will acquaint me some other way to make my returns than by my own expense. I look on it that it would keep me half my time in making my returns which would be more than the profit I should receive.

I do not doubt but there may be some men enlisted. Our General Muster will be in a short time and should be glad to be prepared for a trial. Hope you will send me two hundred pounds, in cash by the bearer or such a sum as you think proper, I have no money that I can spare to advance for the public, I beg to know what ensurancement to give each man I enlist.

I am as in duty bound your Excellency's most obedient humble Servant,

JAS. RICHARDSON.

HENRY LAURENS TO GOV. CASWELL.

[From Executive Letter Book.]

York Town, 24th January 1778.

Sir:

My last was by Post the 17th Inst. Your Excellency will find here enclosed an Act of Congress of the 19th Inst for establishing a communication for transporting provisions from the Southern States, for the use of the Army, and for defraying the consequent expenses upon which is endorsed the Commissary General's letter, referred to, I am with great regard and respect Sir,

your Excellency's ob. & huml. Servt.

HENRY LAURENS
Presdt. of Congress.

JAS. GREEN JUN. TO GOV. CASWELL.

[From Executive Letter Book.]

NewBern 28th Janry 1778.

Sir:

Agreeably to your directions to me, I have enclosed to your Excellency by Col: Leech an Invoice of the Clothing and Blankets which I purchased of the French Gentlemen in NewBern. I would have furnished you with his Bills of the same, but he says its impossible for him to make it out at present when he does I'll forward it.

I can hardly forbear sending those clothes and blankets immediately to South Quay, to Col: Aylett, by two vessels which sails

to-morrow where he could get wagons directly for sending them on, to headquarters, but I must forbear, not having your orders to do so. The first fair day I will cart them to some store in Town, 'till further orders. I am with respect

your Excellency's obedt. Servt.

JAS. GREEN JUN.

GOV. CASWELL TO HIS EXCELLENCY GOV. HENRY.

[From Executive Letter Book.]

NEWBERN 28th January 1778.

SIR:

Your favors of the 6th and 11th instant, were delivered me yesterday by Mr. Davenport, Col: Ayletts business in this Department, being such as to require his stay in Virginia, (of which I make no doubt he has advised you) has requested me to appoint an assistant to him in this State, which I shall most cheerfully do. He sent by Mr. Davenport 20,000, Dollars, the greater part of which, I have already laid out, and shall continue to do this very necessary business until I can get a proper person to discharge the duties of such an appointment, but as money will enable me to get the articles necessary with more ease, and convenience and with more content to the venders, I must request you will be pleased to recommend to Col: Aylett the sending a much larger sum so soon as he possibly can, by the time of the arrival I shall have a person properly qualified to receive it, in the mean time the business shall go on with all the assiduity and assistance I can give it. I thank you for the Copy of the Act of the Assembly your Excellency did me the honor to enclose. The General Assembly of this State is adjourned to the first Monday in April next. At their meeting I shall lay the same before them, in the mean time I shall use every means in my power to prevent the importation of provisions by laying an Embargo and take such steps as I hope will in some measure prevent the pernicious practice of those wretches among us who prefer a Temporary Satisfaction of Acquiring to the Salvation of their Country. It is the greatest happiness my heart is susceptible of, to render my country services under the most trying occasions, and give me leave to

assure your Excellency it will be with the greatest pleasure that in concert with our sister State of Virginia or any of its inhabitants I shall render all the assistance in the matters you are pleased to recommend within the compass of my power and indeed in everything which may have the least tendency toward our grand object independence.

I have the honor to be with the greatest esteem and regard, Sir, your Excellency's mo. ob. servant,

RICHARD CASWELL.

GOV. CASWELL TO COL: AYLETT.

[From Executive Letter Book.]

NEWBERN 28th January 1778.

SIR:

Your favor of the 12 Currt. by Mr. Davenport I recd yesterday with 20,000 Dollars, and the several papers mentioned by you. It would have given me pleasure to have seen you here, and I would most cheerfully have assisted you in every measure in my power, but as the duties of your appointment, and the essential service to your Country, which you are engaged in has prevented my having the satisfaction of seeing you and consulting with you on some matters very interesting in your department, I shall content myself in assuring you that everything which may be in my power to accomplish for the service of the public and which falls in your department shall be attended to and receive the dispatch that their importance requires.

I have not yet met with a proper person to employ as your assistant, Commissary of purchases. But have written to a Gentlemen whom I think very fit and able to perform the duties of such an appointment, from him I expect to hear in a few days. In the mean time I shall do the very necessary business myself. I have already laid out the whole or very near it of the money you sent having purchased 600 Bushels of Salt, at £5 this currency, and 290 Barrels of Pork at £16. do: and agreed for some other quantities of each article. But as business of every kind is best done with money in hand, I must recommend your sending out so soon

as you possibly can, any sum, not exceeding 50,000 Dollars. I think it may be laid out for the articles, and at nearly the price above, if you think these are too high, advise me as soon as possible, lest I should engage too far. I thought it best to offer what I call a generous price at once, which is now the height of the market. Whether you will have any of the Pork or salt sent unto South quay, or if you will have it stored in a proper Magazine here, please inform me. Tis rather too late to expect any quantity of fresh Pork to be purchased, what is to be got here is chiefly barreled already, that which is bought for the public, shall be in good order and ready to be disposed of as you shall direct. I would not wish to be understood that 50,000 Dollars more will be as much as may be laid out in provisions here, but I think it will be a sufficient sum to answer the present exigencies. If a further sum shall be necessary, on receipt of that I shall advise you. I have written his Excellency Gov. Henry, and assured him of every assistance I can give in your Department. I think no labour or trouble too great in these very necessary businesses to be performed for the public, and hope you'll freely ask any thing you think in my power to perform without apoligizing, as I really consider it as a duty I owe a Country, I wish to save. I am with great respect Sir, your Mo. ob. Servt.

R. CASWELL.

GEN. HORATIO GATES TO GOV. CASWELL.

[From Executive Letter Book.]

War Office, Janry 29th 1778.

Sir:

I have the honor of informing your Excellency, that there is a large quantity of clothing at Edenton in North Carolina which was purchased for the use of the American Army.

The Board being of opinion, that carriages could not easily be procured in North Carolina have ordered four Brigades of wagons to be collected in this State, and sent to Edenton, in order to convey it to Lancaster. Lest the number of wagons should not be sufficient, to bring the whole, the Board have directed the D. Com. of clothing in North Carolina, Messrs Hewes and Smith, to apply to your Excellency if necessary for any assistance they may want.

The Board are convinced your Excellency will do every thing, in your power to expedite the arrival of the clothing at Lancaster, when you are informed it will tend in an eminent degree to relieve the present distress of the army.

I have the honor to be, Sir, your Excellency's most ob. huml. Servt.

HORATIO GATES,
President.

The Board have not been favored with your Excellency's answer to their letter on the subject of purchasing Leather and Skins. If any purchases, and there should be loads wanting for some wagons, which Mr Purnall will have with him, the articles may be sent by informing him.

SAVAGE & WESTMORE TO GOV. CASWELL.

[From Executive Letter Book.]

EDENTON, 30th January 1778.

SIR:

We have received your Excellency's favor of the 27th Current, and the contents are duly noted.

We are sorry it is not in our power to comply with your desire, having before the receipt of your favor, sold all the Goods purchased by J. Westmore in Newbern to Mr. John O'Conner, who is now here, on account of himself, Col. O'Conner and two other Gentlemen, by the name of Herbert to the Northward, at fifty per cent profit, on what these Goods cost us, they paying us in cash, and allowing us the freight of the goods found here. They have further purchased from us a more considerable quantity of goods here, all of which are to be sent towards Head Quarters, on their private accounts. But for your Excellency's farther satisfaction we refer you to Mr. O'Conner's letter who writes by this express.

We remain, with the greatest respect your Excellency's most ob. huml. Servts.

SAVAGE & WESTMORE.

JOHN O'CONNER TO GOV. CASWELL.

[From Executive Letter Book.]

EDENTON Jany 1778.

SIR:

Messrs Savage & Westmore showed me a letter from your Excellency. I have to inform your Excellency, that seeing the Invoice of the Goods purchased by Mr. Westmore in New Bern in order to serve those concerned with me in adventure of Goods to be purchased here by me, and forwarded to Pennsylvania immediately. I purchased these Goods from them together with another pr ct. here allowing them fifty per cent profit upon the Invoice purchased at New Bern, part of which purchases I paid immediately in cash and am to furnish them with Bills upon my friends in Pennsylvania for the balance of their account, as the intention of this adventure is to serve as well the army as other people, who are in great want of these necessaries together with the injury we shall sustain thro the want of goods. I hope your Excellency will excuse my not making a tender of them, as I am but one of the concerned, the others are field officers now at Camp.

I am with greatest respect, Sir, your most ob. huml. servt.

JOHN O'CONNER.

GOV. CASWELL TO FRANCIS BRICE.

[From Executive Letter Book.]

KINGSTON 30th January 1778.

SIR:

About the 28th of December last a vessel arrived in Cape Fear from France, (Havre de Grace I think) in which came one John Folger passenger, who said he was express from the Commissioners of the United States at Paris to Congress, and who informed me he had showed you a paper which he suggested was from Mr. Dean to himself tho' not signed by him which on that account you disregarded. The Capt. of that vessel who was a Frenchman, came to Newbern to see me about the sale of his Goods and I advised Mr. Craike to purchase from him, which he did not on account of the exorbitant prices the Frenchman asked for his

goods. I mention these circumstances in order to ascertain the person of Mr. Folger, who I fear has been guilty of a breach of trust, and in order to a discovery Congress have desired all the information in my power to collect from the Master and Passengers of the vessel in which Mr. Folger came from France, concerning despatches which they may have seen or heard from him, were in his possession, from the Coms. at Paris to Congress or any of the members of that Body. I therefore take the liberty of sending this by Express to you, requesting you will be pleased to obtain all the information in your power from those persons and have the same adduced to written Affidavits made by the said persons, before a Justice of the peace, in which shall be contained every circumstance within their memory respecting these matters, and if you recollect any particular circumstances relating to Folger's behaviour, when you saw him, I must beg the favor of your Affidavit also. If Mr. Craike has returned and can recollect the particulars of this man's odd behaviour at Colliers where we met him, please to obtain his deposition. Let these affidavits be drawn in such manner as not to disgrace us in Congress, where I am requested to transmit them.

Mr. Brice will excuse this and other trouble I am and shall be obliged to give him in public matters, and in case of his absence from Wilmington, I beg the favor of Mr. Dunbibin to execute this business in which he will greatly oblige me. I am Sir, your mo. ob. servt.

R. CASWELL.

To Mr. Francis Brice, or in his absence Mr. Jonathan Dunbibin, Wilmington.

CORNS. HARNETT TO GOV. CASWELL.

[From Executive Letter Book.]

York Town Janry 31st 1778.

Dear Sir:

I take the liberty to enclose to your Excellency the last papers, to which I refer you for news. I am glad to find our Assembly have opened the Courts as well as the Land Office. I wish this measure had taken place sooner. The Taxes also I hope will be

soon collected, this measure of taxation unless entered into with spirit by the Legislatures of the several States, must end in the ruin of the prodigious quantity of paper money now in circulation.

The Grand Army still remains encamped at Valley Forge, unless a large body of the Militia of the adjacent States immediately reinforce them, I have little reason to expect anything decisive can possibly be done this winter, as we are told Genl. Howe's lines are exceedingly strong, and should Genl. Howe be reinforced in the Spring, by a strong body of Troops, I suppose we shall have warm work, unless France and Spain declare War, and this, notwithstanding the great preparation made by those powers, is very uncertain, France finds her account in engrossing the whole Trade of these States, without entering into a war with so formidable a power as Great Britain.

I could have wished our General Assembly had fallen upon the means of calling in all our paper money issued under the sanction of the crown, great distinction has been made by the disaffected in this and many other States, an evil universally complained of, and has been remedied in several very effectually, by calling it all in, at a certain day, after which it is not redeemable by any future tax, neither is it to be taken as a tender. In some States, Treasurer's notes bearing interest are given in lieu of this kind of money, redeemable in one year.

Congress have a high sense of the offer made by our Country, of marching 5000 Militia to the assistance of the Grand Army, and greatly applaud their spirit, whether they will be called for, is not yet known. I suppose they will not, (having so great a distance to march,) unless in case of emergency. But this is no more than my private opinion and not to be mentioned. I take the liberty to enclose a memorandum which Mr. R. Henry Lee put into my hands a few weeks ago, which has been mislaid. I shall be happy in receiving a line from your Excellency when you can find leisure, and am with great respect, your Excellency's mo. ob. & very humbl. Servt.

CORNS. HARNETT.

Febry 3d.

Being disappointed in sending this forward at the time expected, I cannot help mentioning to your Excellency very shortly a

matter which hangs heavy at my heart, whilst all the States are fortifying every creek and inlet where vessels can possibly enter, I fear our State have neglected Cape Look Out Bay and Cape Fear River. The latter is such a harbor as may at all times be safe for the enemy to enter, and ravage the country at will, more especially at this time when all our Continental Troops are at the distance of 600 miles from that place. Cape Look Out is one of the finest harbors on the American coast, and would be a noble Asylum for the Continental and private ships of war, to wood and water, as also a place of security for trading vessels chased by the enemy. I am distressed beyond measure to find our sea coast so much neglected to please (I fear) a few individuals who may be interested in the matter, I am as before your Excellency's most &c. &c. CORNS. HARNETT.

I am confined in my room by the gout, and therefore cannot with the accuracy I could wish answer your Quere's in regard to Major Genl. Pay &c. I shall do myself the honor of writing you in a short time on that head.

I could wish your Excellency, would fall upon ways and means to procure all the salted pork in your State, for the use of the Continental Army, which Congress have every reason to believe will be greatly distressed for that article, I hope none will be suffered to be exported. Your Bills will be answered.

C. H.

GOV. CASWELL TO HENRY LAURENS, PRESIDENT OF CONGRESS.

[From Executive Letter Book.]

North Carolina, Kingston, 31st January 1778.

Sir:

I had the honor of receiving your letter of the 12th this day, and so far as I am able to recollect the circumstances respecting Folger's conduct, when I saw him, I will now inform you, what information I can obtain from the Capt. and passengers of the vessel he came in, I will transmit so soon as I possibly can, as the vessel arrived in Cape Fear, where she now lies (I believe) and the Capt. is about disposing of the cargo, one hundred miles to

the Southward of New Bern. It would I find be disagreeable to the bearer to wait the return of the Express, I shall this day send there.

Capt: Folger's information, I think in every particular is true, except one which is that in which he says I broke open the main packet directed *Despatches*. On my arriving at the place he mentions, about eight miles from Newbern, I found him a stranger, there, the Landlord informed me he had said he had business with me. I asked him a great many questions which he answered in monsyllables, and in equivocal terms, until one of the two gentlemen he has mentioned were in my company informed him I was the Governor. He then showed me first a letter, which he said was from Mr. Dean, but unsigned, with which he saw I was not satisfied. He then showed a letter signed with the names of Mr. Franklin and Mr. Dean, and by the writing I was induced to believe that letter was signed by those gentlemen. He afterwards began to be more open in his behaviour, I commended his caution, tho' very awkward, and to convince me he was the person, he assumed, he carried me into a room, where undoing his portmanteau, he showed me a large packet addressed to himself, which was bound round in several places with twine, & sealed. I asked him if he had opened it, it being directed to himself, he answered no, he knew it contained nothing for him, that its contents were papers for Congress as he had received it in a bag, to which he had affixed a lead for sinking it at sea, in case the vessel in which he came passenger being boarded by the enemy, and that he had Mr. Dean's particular orders to do, and in case of accident happening to himself he was to give similar directions to the Capt. which he had done. I told him it was rather odd that he should have so large a packet in his possession so long, and not know its contents, when directed to himself, and wished him to open it the better to satisfy himself in the business he was upon. He declined opening it, but said I might, which I did, and this packet which was the only one I broke the seals of was I declare upon my Honor was addressed to Capt. John Folger, I think at Havre Degrace; in it, I found a great number of letters and packets, directed to many members of Congress, one I particularly remember was addressed to Mr. Hancock President of Congress, several to Mr. Morris and others, whose names I do not now recollect, there were several

endorsed "*Despatches*" and the same in French above or below the english on the same packet, I think some of them said ("Despatches for Congress") observing one or both ends of one these packets to be opened and sealed in the middle. I drew out at the end several pieces of blank paper, on which I expressed my surprise in the manner Folger was mentioned. All the letters and packets were as he says by him and myself put into the original cover directed to himself, the twine bound round and sealed by me, and I gave him the pass he mentions, and after the labor I had to get this knowledge, which was not small, his manner being uncommon, I sent him on firmly persuaded the packet addressed to the President did contain some matters of an interesting nature, to the States, it was pretty large, and was I am sure, put again in the original cover, which I am positive was sealed by me, in the same manner I found it, and that no other seal whatever was broke, but those on the wrapper.

What the man may be I will not pretend to say, but if he has not delivered the packet addressed to Mr. Hancock, he has certainly had some design in secreting it, and I most sincerely wish Congress may be able to get such information as may enable them to do him justice.

I have the honor to be with great respect and esteem Sir, your most obedient servant,

RICHARD CASWELL.

P. S. I have furnished the exprsss with twenty Dollars, enclosed in his receipt.

GEN. ALLEN JONES TO GOV. CASWELL.

[From Executive Letter Book.]

Janry 31st 1778.

Sir:

I beg leave to recommend the bearer of this Mrs. Miller to your Excellency assuring you that however inimical her husband may appear, she herself is a most deserving character. Mr. Miller went out of the State before the Declaration of Independence, and is now a merchant at New York. Mrs. Miller I understand has a notion of going to Bermuda with her property to avoid the for-

feiture that will be incurred, if consistent with the laws of the State. It is on this subject she waits on your Excellency, but as she has not explained herself to me, I must beg leave to refer you to herself.

I assure you sir any favor you can do her consistent with the laws and policy of the State will ever be considered as an obligation on myself. A gentleman from Virginia yesterday told me that he saw a person from the No'ward who says it may be relied on that the Canadians have acceded to the Confederacy with the 13 United States, and that their delegates are at Congress. I heartily wish this may prove true, and I do not think it improbable, as the British force in that part is almost annihilated. I am with the utmost respect your Excellency's mo. ob. Servt.

ALLEN JONES.

GOV. CASWELL TO COL. NICH LONG ESQ. QUARTER MASTER GENL.

[From Executive Letter Book.]

KINGSTON 1st February 1778.

SIR:

I have some Tanned Leather, Deerskins, Shoes and clothing for our Continental Soldiers, to be sent to the Northward for conveying which I shall want three or four wagons and team, with drivers to be sent to Newbern to receive their load and to be escorted by a guard to be furnished from Halifax to York or Lancaster in Pennsylvania. Pray can you furnish them? Let me know in what time, they can be in Newbern, ready to take in, that I may have the articles properly prepared. The wagons should be covered and I think four will not be too many. Please to let me have your answer by the bearer. I am, Sir, your mo. ob. Servt.

R. CASWELL.

GOV. CASWELL TO BRIG. GENL. ALLEN JONES.

[From Executive Letter Book.]

KINGSTON 1st February 1778.

SIR:

I had the pleasure of writing you some time past requesting you would look out a proper person to be appointed officer of the Guard to be raised for the protection of the Magazine at Halifax, and recommend him to me for the appointment, and also to contract with some person to supply the Guard with provisions agreeable to a resolve of the General Assembly, but have not been honored with a line from you in answer.

I have since writing to you appointed an officer, who could by no means raise any men, for barely the pay of the Continental Soldiers, which was the occasion of my laying the matter before the Council, and that produced a Resolution of which I enclose you a copy on your informing any person whom you think worthy of the command, of the Guard at Halifax and who will accept, 'tis probable he will be able to raise men on the terms recommended by the Council, pray let me hear from you soon that this Guard may be raised before the Regular Troops, (who I am informed are your present Guard,) leave Halifax, as the Magazine there is of too much consequence to the States, to be left without a Guard. If a proper person is not to be found who will undertake to supply provisions on the terms held out by the General Assembly pray agree with some person to supply and keep a regular account of his disbursements, and obtain proper vouchers for the same, to be laid before the General Assembly, who I have not the least doubt will allow the same with what may be reasonable for such persons services.

If I am favored with your recommendation by the return of the bearer, it will enable me to send the Commission and warrant on the Treasury for Bounty Money so as to prevent too great delay in completing this business. I am with great respect Sir, your mo. ob. Servt.

RICHARD CASWELL.

RALPH GORRELL TO GOV. CASWELL.

[From Executive Letter Book.]

GUILFORD Febry 1st 1778.

DEAR SIR:

This moment the Bearer Mr. Lomax having informed me he was going to express to New Bern for the Court Law Bill, and also to call upon your Excellency for the Commissioners of the peace for the additional number of men recommended at the last Assembly to be added or commissioned as your Excellency may think proper, to the former number heretofore commissioned should your Excellency have them made out, I should take it as a particular favor your sending them, as our Court begins the 16th of this Inst, and the members to be added likely may then give their attendence. Your compliance with this will much oblige your Excellency's very humble servant.

RALPH GORRELL.

HENRY LAURENS, PRESIDENT OF CONGRESS, TO GOV. CASWELL.

[From Executive Letter Book.]

YORK TOWN 3rd Febry 1778.

SIR:

I troubled your Excellency the 24th ulto. by messenger Sillman. The present is intended to convey Acts of Congress of the 19th Decr. and 21st Janry last, for retaliating upon the enemy, of which six printed copies will accompany this. I am with great respect Sir, your Excellency's most obedient servant,

HENRY LAURENS
Presdt Congress.

FRANCIS BRICE TO GOV. CASWELL.

[From Executive Letter Book.]

WILMINGTON Febry 4th 1778.

SIR:

When your Excellency's express respecting Capt. Folger arrived, I was not in Town, which was the means of his long stay here. I have procured some particulars from the Captain of the sloop, con-

cerning Folger's embarkation at Havre De Grace, which I enclose your Excellency. I could procure nothing else worth transmitting, from the Frenchman. My own Deposition you have also enclosed, which contains every thing I remember concerning him; I also send a copy of the receipt which he gave for the Packet when he took it from on Board the vessel. Mr. Craike is not yet returned from Charles Town, or I should have sent his Deposition. Any orders that your Excellency may think proper to send me, I with pleasure will endeavour to have them fullfilled. I find it impossible to get vessels to carry the public Pork to Edenton, as you requested me to do from Edenton, I have a letter, and not a vessel is to be had there on any terms. I am your Excellency's very ob. Servt.

FRANCIS BRICE.

GOV. CASWELL TO JAMES COON, ESQ., N. O., NEWBERN.

[From Executive Letter Book.]

NEWINGTON, 5th February, 1778.

SIR,

It being certified to me that Capt. Roberts in the Schooner ——— and Capt. Hutchins in the Schooner Race Horse, both from Bermuda, with salt on the faith and credit of the Resolution of Congress, have disposed of their Cargoes for Corn and Pork, which they have now ready to ship and return to their Island.

They are both small and will not carry more than 120 or 130 barrels of pork. I find a pretty large quantity of that article is to be purchased for the public, and by no means wish to discourage the bringing in of salt nor would I wish to have the Resolutions of Congress called in question.

I therefore recommend your permitting the said Captain to carry out the above quantity of Pork, my proclamation to the contrary notwithstanding. If any more Bermudians arrive with salt, let them report to me their Cargo, and 'tis probable they will receive the same treatment, and 'tis very necessary as perhaps more salt may be wanted for public use.

I am Sir, your most obedient servant,

R. CASWELL.

GOV. CASWELL TO JUSTICES OF CRAVEN.

[From Executive Letter Book.]

NEWINGTON, 6th Feb., 1778.

GENTLEMEN:

About ten days ago I received a letter from Gen. Washington, informing me of the distressed situation of the Army in general, and those of this State, immediately under his command, in particular for want of clothing and recommending in the strongest terms to this State the relieving their distresses by a speedy supply. I was happy in purchasing a considerable quantity of clothing from some French gentlemen in Newbern, but all I could procure from them, is far short of what is immediately necessary for our own troops at Head Quarters. I found on inquiry that Messrs. Savage and Westmore, of Edenton had purchased of the same French merchants sundry goods very useful for the army, to-wit, Blankets, Stockings and Osenburgs, and had lodged them with Mr. Singleton in Newbern. Whereupon I wrote by express, to those gentlemen that I would perform their contract with the French merchants so far as related to those goods and allow them the usual commission on the purchase provided they would relinquish their claim to the public, and in the mean time I desired Mr. Singleton to detain the goods in his hands, 'till he heard further from me, which he promised to do.

I have this day received an answer to my letter from Messrs. Savage and Westmore, and also a letter from Mr. O'Conner, both of which I enclose you, and as it will not be in my power to take the advice of the Council until the last Monday in February instant, when the board is to meet, I submit it to you gentlemen whether under our present unhappy circumstances you will not think yourselves justifiable in ordering those articles in Mr. Singleton's possession to be seized for public use. I am informed that Mr. O'Conner is at Newbern making other purchases, if this is true, I fear he is one of those leeches who are sucking our blood to enrich themselves, and then spue it up into the possession of our enemies, as there are too many of those sort of creatures employed. I hope you will think with me, that it is absolutely necessary to give them some check, especially in those particular

articles we so much want. Whatever you shall think proper to do in this business be pleased to communicate the same to Mr. James Green, Jr., who will inform me by express. I am with great respect, gentlemen, your most obedient servant.

R. CASWELL.

GOV. CASWELL TO BRIG. GENL. JOHN ASHE.

[From Executive Letter Book.]

NEWINGTON 7th Febry 1778.

DEAR SIR:

Let me entreat you to make me a return of your Brigade, 'tis the only one not yet returned. It will be impossible, in case an aid shall be required by Congress, and I have every reason to expect it, for me to proportion the number of men to be raised from each Brigade, until I am favored with the return now required. If the Militia shall be ordered to march to the aid of the United States, will it be agreeable to you to command them, if it will, 'twil give me pleasure, otherwise I think it may be necessary for me to go with them. However this is *entre nous*. I am Dr Sir, with the greatest regard and esteem your most obedient servant,

R. CASWELL.

GOV. CASWELL TO HON. HENRY LAURENS, PRESIDENT OF CONGRESS.

[From Executive Letter Book.]

NORTH CAROLINA 7th Feby 1778.

SIR:

I this moment received the enclosed depositions by express from Cape Fear, which contain all the information respecting Capt. Folger, that I have been able to obtain since I had the honor of writing you by the return of your express.

Your favor of the 26th December came to hand a few days past enclosing an address and Resolves of Congress directed to the

General Assembly which I shall take the earliest opportunity of laying before that body. I have the honor to be Sir, your mo ob. servt.

R. CASWELL.

GOV. CASWELL TO HON. JOHN PENN & CORNL HARNETT ESQS.

[From Executive Letter Book.]

North Carolina 7th February 1778.

Gentlemen:

Your favor of the 9th January last I received some days past. In consequence I have written to Doct Guion and made some enquiry about his leaving the State from others, from him I have received no answer nor can I learn that he has any intention of removing or withdrawing himself.

I had the pleasure of writing you some time past, and enclosing sundry Resolutions of the General Assembly, which I presume you have before this received, and which will serve to answer the other, parts of your letter, as well as part of Mr. Harnett's of December, which I received but two days ago. He says that, "the several States are adopting spirited measures in order to fill up their Battalions against the Spring and I hope our State will not be behind hand with them."

My good friend Mr. Harnett knows that by the Constitution of this State, nothing can be done by the Executive power of itself, towards this most desirable purpose and that the General Assembly is not to meet until the month of April, of course, ways and means cannot be fallen on to accomplish what he hopes, in time to render that service to the common cause, he and I both wish, and I think if there is any blame to be fixed on those who formed the Constitution a very considerable part he ought to take to himself for cramping so much the powers of the executive. I now find it out of my power to call the Assembly to a shorter day than that to which it is adjourned, tho' earnestly pressed thereto, by not only our own people but by the Legislature of a sister State, and business recommended both by Congress and the General of the American Army.

I have lately purchased from some French Merchants clothing and some few Blankets to amount of 6 to £7000, which I shall send on with some shoes and tanned Leather to the Clothier General for the use of the Troops raised in this State, I imagine about four wagon loads.

I have also purchased at the request of the Commissary of purchases a considerable quantity of Pork and salt nearly to amount of £20,000, which will be lodged in proper Magazines.

Whatever else that can be executed by me, Recommended by Congress, or the Delegates of this State shall be most faithfully attended to.

I thank you for the Intelligence you give me, respecting the armies and other public matters. A report prevails here, that a revolution has happened in Canada, that they have acceded to the American Compact and have been received (by Congress) as the 14th state in the union. I shall have my own fears, I confess, that this account is too good to be true and cannot credit it, 'till further information properly authenticated which I hourly hope for, no other news here. With great regard and esteem I have the honor to be Gentlemen, your mo. ob. Servt.

R. CASWELL.

COL. WILLIAM AYLETT TO GOV. CASWELL.

[From Executive Letter Book.]

Williamsburg, Febry. 7th 1778.

Honle. Sir:

Your very obliging and much esteemed favor by Davenport, I met with this day on my return from a tour in the Country.

I am really at a loss for words to express my gratitude to your Excellency for the great honor you have done me in condescending to transact yourself the business that I meant only to trouble your Excellency to appoint a proper person to perform, also for your very polite tender of future services—but you have ordered me not to apoligise and I will obey you, but give me a leave to follow the dictates of my heart in imploring Heaven to reward your Zeal for your Country with success, and to confer on you every earthly enjoyment below and happiness above. I am sorry to inform your

Excellency that my present stock of cash is so nearly exhausted that I have not a sum worth sending at present, being reduced to two or three thousand pounds, but I have assurances of a speedy supply, when you may depend I will immediately send on a considerable sum, and more as it comes to hand. The purchase can not be too extensive, or I fear equal, to what is expected, for I am sorry to find the present dependence of the army is in your State and ours, but strange it is that this dire intelligence has been but lately communicated unaccompanied with the necessary sum for performing. A chain of wagons is to be kept up betwixt the River, as per plan enclosed for the speedy transporation, and what can be done, is also to go on by water. I hope it will be convenient to your State, to advance a necessary sum to keep the purchase in motion until a proper supply of money is forwarded and that what can be got be sent on with all possible expedition to South Quay. I hope the Gentleman your Excellency had in view is by this time engaged, and has taken this troublesome business off your Excellency's hands, and that he will favor me with a line by first opportunity. I am with the most perfect esteem and highest regard your Excellency's most Ob. & obliged Humble servant.

WILLIAM AYLETT.

I have engaged as much salt as is necessary. Your Excellency will therefore be pleased to order that no more be purchased in Carolina, than is necessary for curing what provisions can be procured of Pork or Beef. My orders are not to let a trifle in price prevent the fullest supply that can be obtained. I understand that Col. Salter has 2000 barrels of Pork for sale, which I hope with all that can be bought will be instantly engaged.

GOV. CASWELL TO FIELDING LEWIS ESQ.

[From Executive Letter Book.]

North Carolina 7th Febry 1778.

Sir,

I am honored with your letter of the 29th January with its enclosure. The Resolutions of Congress, a Copy of which you favored me with was laid before the General Assembly of this

State at their Session in December last, who resolved that it was then unnecessary and improper to appoint Commissioners agreeable to the recommendation of Congress. However I shall lay your letter with the proceedings of the Commissioners before the Council of State and if they think proper to recommend the appointment of Commissioners for this State, I have no doubt they will attend at the time to which you have adjourned; if none attend you may take it for granted that there has not been any appointed.

I have the honor to be with great respect Sir,

your most obedient servant,

R. CASWELL.

JAS. GREEN JUN. TO GOV. CASWELL.

[From Executive Letter Book.]

NewBern 7th Febry. 1778.

Dear Sir,

As I intend leaving home to-morrow, I have put up in a Hhd. the 2 ps. Blue cloth, and 1 pc. red, for the officers, with trimmings for the latter (sewing silk and Buckram) likewise 3 ps. Brown, and 1 pc. red for the soldiers at Kingston, with Trimmings. The Muskets come loose, all which I leave with Mr. Cogdell to be delivered when called for. The coarse ps. of Red I think is intended for facings.

In the Hhd. 2 ps. blue cloth.
1 pc. fine Red or scarlet.

Officers
2 Gro. yellow Gilt Button sorted.
2 Gro. " " " "
4 lb dark thread.
30 sticks of Mohair from Col. Cogdell.

2 ps Brown Cloth.
1 pc. Red " napp'd

Guard
4 lb dark thread
2 Gro. White Buttons sorted.
2 Gro. White Buttons sorted.
½ lb Mohair.
20 fine locks loose.

A letter from Mr Johnston of Edenton to Mr Nash, informs me, that he (the former) saw a Gentleman from Virginia who says the Revolution in Canada is indisputable, the particulars of this letter is, that the natives had seized all the forts and ports in Canada, together with warlike stores (except Quebec), and that seven thousand men were in motion to attack that Fortress, if it should make any resistance, that a number of officers were under guard on their way to Congress.

Your old acquaintance Mr David Barrow cannot survive but a few days longer.

Mr Chariol the Frenchman requests me to ask whether your Excellency intends taking about 8000 lb of powder which you were to let him know respecting it some time since. Pray let him know the result of your intentions on this head, he is eternally teasing me about it, and I tell him I am ignorant of the matter. I am Sir,

your obedt. Servt.
JAS GREEN JUNR.

GEN. ALLEN JONES TO GOV. CASWELL.

[From Executive Letter Book.]

Febry 8th 1778.

Sir,

I this day was honored with two of your letters, one of the 11th of Jany, the other dated the 1st Inst. which I hope will be a sufficient apology for not writing sooner.

I wish it was in my power to recommend to your Excellency a person properly qualified to command the Guard to be stationed Halifax, but I assure you, Sir not one occurs to me, at present that I think adequate to that service. I shall go to Town to-morrow morning and consult the Gentlemen there—I know a person that I think would be very assiduous, but doubt whether he would accept of a Lt's Commission, as he has hitherto acted as Captain but I shall do my endeavour to prevail on him, or some other good man, and send him down to your Excellency immediately.

The late Assembly employed William Amis as a contractor to lay in provisions for the Regulars who should be from time to

time, at Halifax (and I think for the Guard but am not certain) and ordered him the sum of £500, which he received, and has laid out together with some of his own money. As this is the case I make no doubt but he will supply the Guard, 'till the next Assembly as he will have the State's provision in his hands, and is convenient to Town. Indeed he is much the most proper person in this neighborhood. I will see him to-morrow if possible, and write your Excellency in my next.

Nothing new in this part of the State. The news relative to Canada, seems to want confirmation.

I am with great respect your Excellency's most Ob. Servt.

ALLEN JONES.

R. & JAS. ELLIS TO GOV. CASWELL.

From Executive Letter Book

New Bern 9th Febry 1778.

Dear Sir,

We congratulate you on the safe arrival of the B. New Bern, she has not yet got up, therefore can give you no particulars, I have neither seen Capt. or ours, should be glad to know in a day or two, what to do with your part of the Cargo. Burgoyne being taken, got to England about 4th December, all confusion there. The new Gov'r for N. Providence and a number of passengers which came over with him, declared there will be a cessation of arms proposed soon, only a majority of 33, in the house of Commons against America being declared Independent. They have with some difficulty passed a vote for money for another Campaign, but North and his Hall cats were much put to it, on his being pushed hard he begged that if they would not grant money for another Campaign, that they would for the purpose of bringing home the Troops. So far for News which came by Capt. Cochran Amitt and others in 10 days from New Providence.

We are with great esteem Dr Sir, your Excelly's mo. ob. Servts,

R. & JAS. ELLIS.

HON. HENRY LAURENS TO GOV. CASWELL.

[From Executive Letter Book.]

York Town, 10th Febry 1778.

Sir,

I had the honor of writing to you the 3rd inst. by the hands of Mons. Lannville.

Under cover with this your Excellency will receive two Acts of Congress, viz.

Of the 3rd inst. requiring all persons holding Commissions or appointments under Congress to qualify themselves by taking and subscribing to certain oaths prescribed therein, which your Excellency will be pleased to lay before the Legislature and also cause the contents to be published by the most effectual means throughout the State.

On the 9th inst. for restraining and preventing mal-conduct in Continental officers Civil and Military, and for correcting the abuse of the supernumeraries in the Civil line, and recommending to the Legislatures of the several States to enact laws for the most speedy and effectual recovery of debts due to the United States of America. I have the honor to be with great regard Sir, your most humbl. Servt.

HENRY LAURENS,
Prest. of Congress.

CORNS. HARNETT TO GOV. CASWELL.

[From Executive Letter Book.]

York Town Pennsylvania Febry 10th 1778.

Dear Sir,

I had it not in my power to send you the pay and rations of a Major General on the Continental establishment until yesterday, tho' I applied to our Secry Mr. Thompson, soon after receiving your Excellency's favor, to Mr. Penn & myself. Indeed I have been confined to my room for these 10 days past by a fit of the gout, which has prevented my attendance of Congress much against my inclination.

Our Grand Army remains in winter quarters hutted at Valley Forge. Nothing interesting has lately happened in that District. Congress are not yet determined to call for the reinforcement offered by North Carolina; should such an event take place, your Excellency may be assured of receiving the earliest notice possible.

I take the liberty to enclose the last paper which contains very little, except the King's Speech to Parliament. I have nothing particular to mention having written to you a few days ago.

I am with the greatest respect, your Excellency's most obedient very huml. servt.

CORNS. HARNETT.

I beg leave to present my most respectful compliments to your Council.

Pay of a Major Genl. 166 Dol. pr mo. and 15 Rations.

His Aid de Camp 50 Dol. pr Mo. with rank of Major, no rations.

His Secry 50 Dol. pr Mo.

GOV. CASWELL TO MR. THOMAS OGDEN.

[From Executive Letter Book.]

Dobbs, 10th Febry 1778.

Sir,

Capt. Parker from Bermuda is permitted to take on Board 80 or 90 barrels of Pork that quantity being short of the price of salt he brought in. The Naval officer I have written to, who will clear him out. I still want some salt, for the public and will take the quantity you mention and furnish a proportionable part of the Cargo, on your signifying what the same is. I can do nothing with the Frenchman respecting the powder, until the meeting of the Council which will be in a few days.

I am Sir, your obedt Servt.

R. CASWELL.

GOV. CASWELL TO JAMES COOR ESQ.

[From Executive Letter Book.]

Dobbs 10th Febry 1778.

Sir,

Capt. Parker in a sloop from Bermuda is permitted to take on board 80 or 90 barrels of pork, her Cargo of salt far exceeding that quantity of pork in value, and you will be pleased to clear out the vessel, with that quantity of pork, notwithstanding my proclamation to the contrary.

I am Sir. your obdt servt.

R. CASWELL.

HON. JOHN PAGE, LT. GOV. VIRGA. TO GOV. CASWELL.

[From Executive Letter Book.]

Newington No. Carolina 12th Fubry 1778.

Sir,

I had the honor of receiving your letter of the 5th Instant this day with a letter from Congress, enclosing resolutions of Congress repecting establishing a communication to transport provisions from this State to Elk Ridge landing, in the State of Maryland, Copies of which no doubt have been transmitted from Congress to your State. I shall on a conviction of your being furnished with them neglect sending Copies from hence and use my best endeavours to execute the Resolve so far as falls within my province which I apprehend will be to provide boats and send on the provisions as fast as may be to Southquay, where the State of Virginia will I presume, furnish the number of wagons required, but if that is found impracticable, please send me as early information as you possibly can and I will endeavour to supply the deficiency. The Embargo on the exportation of provisions is laid on. And I beg leave to assure you Sir, that nothing shall be wanting in my power to carry into execution any measure, tending to the general welfare of the United States. I have the honor to be with the greatest respect Sir, your mo. ob. Servt.

R. CASWELL.

J. RAND TO GOV. CASWELL.

[From Executive Letter Book.]

WAKE 12th Febry 1778.

SIR,

I am apprehensive there will be great contending at the Court of this County, (which begins on Monday next) about the appointment of Surveyor and entry taker, Hinton, Lane, Rogers, two or three others and I believe myself are competitors. I have made enquiry and don't find that the Commission of the peace for the associating James Moore, Richard Banks and Francis Hobson hath as yèt reached us therefore have sent down Dick, and must beg the favor of your Excellency to have a Commission sent up. If Mr Glasgow should have heretofore forwarded one, and it should come to hand, I will take care to return that which may now be sent. We have very little news circulating. I saw a Virginia paper of the 30th last month, wherein I learned that the Canadians had determined to change their masters, and had actually applied to General Gates for assistance to take possession of their Government, this is thought to be on consequence of a French War, which is reported here, to be the case. If any extraordinary event has happened and your Excellency should be at leisure may I ask the favor of being informed.

All your Excellency's old friends this way are well except poor Mr Martin who is dangerously afflicted with consumptive complaint, and I am fearful will not survive very long. I hope this will meet with yourself and family in a good state of health and that you all may long enjoy true felicity.

Your Excellency's ever obliged and obdt. Servt.

J. RAND.

GOV. CASWELL TO WILLIAM AYLETT ESQ. D. C. G. P. SD.

[From Executive Letter Book.]

NORTH CAROLINA, DOBBS COUNTY 13th Febry 1778.

SIR,

I wrote you a few lines yesterday, by a person who came out from Williamsburg express to me, and therein acquainted you that I had appointed a Gentleman your assistant, who would

answer your sanguine expectation. This letter will be handed you by that Gentleman Mr. Joseph Green of this County, whose capacity and assiduousnes in the business I could answer for myself. But agreeable to your request I have taken his Bond with sufficient security in £50,000 this currency for faithful discharge of his office. I have engaged Salt and Pork to amount of upwards of 40,000 Dollars. The 20,000 dollars I received by Mr. Davenport, are paid away, and the remainder will be soon wanted, and as the season for purchasing will be soon over, I have advised Mr Green to go immediately in to you for money, perhaps you may think it advisable to furnish him with a greater sum, than what I mentioned in my former letter, i. e., 80,000 dollars which with the 20,000 received will make 100,000. I think they may be laid out. However from Mr. Green's information you will be able to judge what will be sufficient.

You'll please to inform Mr. Green whether the provisions and salt are to be sent on to South Quay or if to be laid up in this State. I apprehend from Mr. Buchanan's plan approved by Congress and transmitted to me, for opening an Inland Communication from this State to Maryland for conveyance of these articles to the Grand Army, the former is intended, I shall therefore 'till I hear from you be provided in the best manner I am able with Boats proper for conveyance to South Quay. You will also be pleased to give Mr. Green directions with respect to the pieces and quantity, if to be limited, of salt and Pork to be purchased. I believe it may be necessary to give more than 40 dollars for Pork, indeed what is engaged of that article I believe will somewhat exceed it, when a sufficient quantity of salt is put in, and the Barrels properly secured so as to preserve the meat through the summer. You may rely on my giving Mr. Green every assistance in my power. I am Sir,

Your most obedient servant,

R. CASWELL.

GOV. CASWELL TO THOS. BURKE ESQ.

[From Executive Letter Book.]

North Carolina Newton 15th Febry 1778.

Dr Sir,

Your favor of the 1st instant sayed to be by Capt. Cade was delivered me yesterday, and believe me 'twas the first of my knowing he was to go, or had gone on express to your part of the country. I have not seen him these three months past: If the Secretary had kept his word with me in giving notice of the time his express was to set out I certainly would have done myself the pleasure of writing to you agreeable to my promise. This I declare upon my Honor was the case, therefore shall apologize no further

This is intended to go by Post, I have written by the same conveyance to the President, General Washington and the War Office in answer to several letters received respecting resolutions of Congress, the State of our Troops, Clothing, and Provisions by a return made me by order of General Washington. I find our nine Regiments are far, very far indeed short of their complement of men and those in Camp almost destitute of Clothing, which must be very distressing at this inclement season—add to this the account from the War Office of the scarcity of provisions, altogether must hurt the feelings of every man of the least sensibility. The officers of the sixth Battalion are sent home, as supernumerary with directions to recruit and to obtain every advice and assistance in that necessary business and recommending to me to devise ways and means for filling the Regiments. You know how little this is in my power, that nothing can be done without money, that if I had ever so much at my command, more than the Bounty directed by law, cannot be given, and that 'tis out of my power to call the Assembly to a shorter day than that to which they have adjourned themselves, so that was I to exert every nerve and influence I am able, and no man is more willing than myself 'twould be to very little purpose 'till the Assembly meets. I am to buy leather, skins, shoes and other clothing, procure manufacturers, set them to work, purchase salt and provisions, and procure Boats & Wagons for sending these articles on, all this I am

really constantly, almost busily employed about myself, receiving very little assistance, even the Council itself disappoint me often in convening, the members being so distant from each other, and from the places of meeting which I have changed from time to time as most agreeable to them.

A considerable quantity of Tanned Leather and deer skins, some shoes and stockings, about 4000 yards of Osnaburgs are purchased, and to be sent on to the Clothier General, so soon as I can get wagons which I have written to Col. Long to supply, and to-morrow expect his answer, if he cannot, I must send immediately to the westward. A considerable quantity of salt and salt provisions is also purchased, and I am endeavouring to get boats to carry the same on to South quay, from whence it will be forwarded under the directions of Col. Aylett, at whose request I have lately appointed a Mr. Green, brother to James Green junr his assistant Commissary in this State, and have sent him to Col. Aylett for money to pay for salt and provisions engaged.

I sent Copies of the Militia Law and aid Bill to the War Office, informed the Honble the President of Congress thereof, but have heard nothing regarding the aid since. I shall be glad to hear from you on that or any other subject you may think proper to communicate. I wrote lately to Messrs Penn and Harnett in answer to theirs. My best wishes attend you and them, if I can serve you or them in public or private character, nothing shall be omitted to effect it in my power. The heavy duty you lay upon me in public matters, I cheerfully submit to, notwithstanding I have so little help. Thos. Craike is gone to South Carolina, I have not seen him since the Assembly.

I am Sir, with the greatest esteem your mo. ob. Servt.

R. CASWELL.

GOV. CASWELL TO HON. L. F. LEE ESQ.

[From Executive Letter Book.]

No. Carolina Newbern 15th Febry 1778.

Sir:

I had the Honor to receive your letter from the War Office of the 31st of December last, which I shall lay before the General Assembly on their first meeting, in the mean time every means

shall be used for procuring provisions, in my power, and forwarding the same to South quay in Virginia where under Col. Aylett's directions they will be forwarded to the army. It was too late when I received your letter to purchase Cattle or Hogs to be driven to the Northward. I have therefore given orders for purchasing all the salt and salted provisions which can be obtained, a considerable quantity of each article is already purchased; you may rely on proper attention being paid to every matter you have recommended by Sir, your most obdt. Servt.

R. CASWELL.

GOV. CASWELL TO HON. GEORGE WYTHE ESQ., SPEAKER HOUSE DELEGATES VA.

[From Executive Letter Book.]

North Carolina, New Bern 15th Febry 1778.

Honble Sir:

I received your letter of the 22d of last month enclosing several resolutions of the General Assembly of Virginia for the defence of the sea coasts and protection of Trade, which I will take the earliest opportunity of laying before the General Assembly of this State.

I have been favored with a letter from Fielding Lewis Esq., Chairman of the Committee of Board of Commissioners at Fredericksburg informing me of the appointment of Commissioners for your State, and that of Maryland, of the meeting and adjournment on account of Commissioners not attending from this State. The General Assembly here did not appoint Commissioners, tho' the Resolution of Congress was before them. I have summoned the Council to attend here to-morrow, if they advise the appointment of Commissioners I shall forthwith comply with such advice and and recommend the Commissioners to set out in time to attend at Fredericksburg the first Monday in March, the time to which the Commissioners adjourned.

I have the honor to be with great respect Sir,

Your most obedient servant,

R. CASWELL.

R. CASWELL TO HON. SPEAKERS OF SENATE & HOUSE OF DELEGATES VIRGINIA.

[From Executive Letter Book.]

No. Carolina New Bern 15th Febry 1778.

Honorable Gentlemen:

I received your letter of 14th ulto with its enclosures, which I shall do myself the honor of laying before the General Assembly on their first meeting, and have not the least doubt, but they will bestow such attention on the matters recommended as the importance of them deserve.

In the mean time I have issued a Proclamation prohibiting the exportation of salt and salted provisions for a limited time. I am limited by our Constitution to Thirty Days, at the end of which I presume the procl will be renewed. I have the honor to be with great respect. Honorable Gentlemen,

Your most obedient servant,

R. CASWELL.

GOV. CASWELL TO HON. HENRY LAURENS.

[From Executive Letter Book.]

No. Carolina, NewBern, 15th Febry 1778.

Sir:

I had the honor to receive your favor of the 24th ulto. enclosing an act of Congress of the 19th same mo. for establishing a communication for transporting provisions from the Southern States for the use of the Army, and for defraying the consequent expenses, upon which is endorsed the Commissary General's letter referred to.

Give me leave to assure Congress that I shall pay the greatest attention to such measures as they, in said act have recommended, and use every means in my power to carry the same into execution.

You mention your having written me the 17th ulto pr post, which has not come to hand; the post rider arrived here last evening but without any papers or letters. The Northern rider not having

arrived at Edenton when he left it. I have the honor to be with great respect Sir,

Your most obedt Servt.

R. CASWELL.

GOV. CASWELL TO HIS EXCELLENCY GENL. WASHINGTON.

[From Executive Letter Book.]

North Carolina NewBern 15th Febry 1778.

Sir:

I had the Honor of receiving your Excellency's favors of the 25th and 29th December, last, the former advising the receipt of a Resolve of the General Assembly of this State respecting resignations of Officers of the Troops raised here, the latter enclosing a return of the No Carolina Regiments in the Grand Army. I am much concerned to find those Regiments so exceedingly short of their complement of men, and beg leave to assure you Sir, that every attention shall be paid and such measures adopted as may be in their power to make them more respectable and as nearly complete as possible.

The distresses of the Soldiery for want of Clothing are truly alarming, and the feelings of every man of the least sensibility must be wounded on receiving the information of their unhappy circumstances. Since I was favored with your Excellency's account of their sufferings, I have been happy in purchasing for our Troops about 4000 yards of woolen Cloth, 300 Blankets, 1500 yards of Osnaburgs, some Shoes and Stockings. I have also purchased a considerable quantity of Tanned leather and Deerskins, all which will be sent on to the Clothier General, so soon as I can procure wagons. A considerable quantity of salt and salted provisions have been also purchased under my directions, which are forwarding to South Quay in Virginia from whence they will be hauled over to Suffolk about 16 miles, and so forwarded by Col: Aylett in the best and most expeditious manner in his power.

I take the liberty of enclosing a Gazette of the 13th Inst containing the only news here except a report of a revolution in Canada which wants confirmation.

I have the honor to be with the greatest regard Sir,

Your Excellency's most Ob. Servt.

R. CASWELL.

HON. HENRY LAURENS TO GOV. CASWELL.

[From Executive Letter Book.]

York Town 13th Febry 1778.

Sir:

I beg leave to refer to a letter which I had the honor of writing to your Excellency under the 10th Inst. and which will accompany this. Yesterday your Excellency's favor of the 11th ulto. reached me. I immediately presented it to Congress, and from thence it was transmitted to the Board of Treasury.

Enclosed herein your Excellency will receive an Act of Congress of this date earnestly requesting an immediate restraint to be laid on the exportation of Beef and Pork from the State of North Carolina to which I refer, and remain with very great Respect Sir,

Your Excellency's Mo. huml. Servt.

HENRY LAURENS

Prest. Congress.

JAS. GREEN JUN. TO GOV. CASWELL.

[From Executive Letter Book.]

NewBern 14th Febry 1778.

Dear Sir:

Yesterday I was fortunate enough to get the Justices to sign a warrant for the seizing of sundry Goods, said to belong to Savage & Westmore, which I have got stored with the other goods bought of French Merchants. Mr Ellis and Doctor Gaston refused signing the warrant or having any hand in the seizure, alleging there was no law empowering them so to do, and that it might subject themselves to a law suit, of which perhaps the public would not bear the expense. I did not see Mr. Davis, who I expect would have signed the warrant, him excepted if it had not been for Mr Leech and Mr Tisdale, (who did sign) I think I should not have been able to effect this matter. Enclosed you have the Invoice of the Goods above mentioned, the pieces of which cannot yet be ascertained, neither can I tell the exact quantity of Blankets in each

bale, but if I may guess from the one I had of the French Merchant there are about fifty. I have employed Jacky Moore to carry this letter to your Excellency for which he is to have four pounds.

No news. I set out for my Father's directly. I am your Ob. huml. servt.

JAS. GREEN Sunr.

Weight of the enclosed Invoice 1880 lb.

COL. ABRAHAM SHEPPARD TO GOV. CASWELL.

[From Exective Letter Book.]

May it please your Excellency:

I hope the number of letters sent to your Excellency, and the trouble we were obliged to give you, while in your State, will in some measure atone for my not addressing your Excellency since my arrival in the State of Virginia. I have now enclosed an exact return of the state of my Regiment, as now in the Camp, also a return of all those absent, and the reasons for it, in order that your Excellency may give the proper orders for their speedy joining us.

Ensign Mr. Rennals has just arrived in Camp with seven clever recruits, and says he has enlisted seven more which deserted, but he expects many of them are taken up by this time, as he has given the proper orders for that purpose.

If your Excellency would please to remind Capt. Wilson of the purposes for which he was sent to Caswell county, I am inclined to think it might be of service, as I am something doubtful if such methods are not taken, he may be rather supine and inactive, as well in regard to that part of his duty, as to his joining the Regiment.

As the shirts drawn in our State, are by this time nearly worn, I hope your Excellency will order the Commissary of Stores to furnish us with a sufficient number against we get out of inoculation, as I am well convinced by that time, the best part of the whole Regiment will be almost totally without that necessary

article of Clothing. As for Breeches, Stockings, & Blankets our good friends the Virginians have amply supplied us with them and likewise one month's pay; which was delivered to my order without the least hesitation.

I have the honor to be your Excellency's most obedient humble servant.

ABRAM SHEPPARD.

Camp at Tottopotomoy Creek, Hanover county, State of Virginia. Febry 16th 1778.

GOV. CASWELL TO MR. JAMES WALKER.

[From Executive Letter Book.]

NEWBERN 16th Febry 1778

SIR:

Enclosed you have a Copy of a Resolution of the Board of War and also a letter from the Assis't Aud'r General, to which I refer you. I have been informed that you are one of the Executors of General Moore's Will, if so, you will be pleased to inform me what steps you think proper to take respecting the matters referred to. If you are not an exr. to General Moore, be so obliging as to inform me who is.

I am, Sir, your mo. ob. servt.

R. CASWELL.

GOV. CASWELL TO MRS. MILLER.

[From Executive Letter Book.]

NEWBERN 17th Febry 1778.

MADAM:

I have taken the opinion of the Council in respect to your request, who think themselves not justifiable in recommending to me, the granting the same. They think such a measure would tend to violate the Laws of the State. I am therefore under the disagreeable necessity of informing you that I cannot grant you permission to carry out of the State any of Mr. Miller's property.

I am madam, your most obedient servant.

R. CASWELL.

LT. COL. J. LUTTRELL TO GOV. CASWELL.

[From Executive Letter Book.]

CHATHAM Febry 20 1778.

GOOD SIR:

According to your instructions I ordered all the officers within this State, together with their new recruits, deserters apprehended, and men on furlough, to meet me at Halifax the 3rd Monday in February, so as to be enabled to make you a general return the 4th Monday of this month as you desired, but a bad state of health put it out of my power to attend myself, however I wrote the commanding officer at Halifax to make out a general return of what officers and soldiers appeared, together with what clothing and other necessaries are wanting for them, and send it to me at Johnston Court House the 4th Monday where I was determined to meet them without fail, to make you the returns desired, but I am so very unwell yet, that I cannot walk or rise without very great pain. Therefore I have sent Capt Rice to receive the returns from Halifax, and make them to your Excellency who will also inform you the reasons I can't attend myself and the situation I am in. You will therefore be kind enough to give the orders for myself and the rest of the officers, to Capt. Rice for me.

According as I promised, I sent to Col: Henderson for the Deeds and Maps of Transylvania, to have sent to your Excellency by Capt Rice, but Col: Henderson being at Halifax Court I missed getting them, however I will send for them again immediately, (and if I am not ordered to the Northward soon) I will as soon as able wait on you with them, for I am very desirous of getting you interested in the lands we purchased of the Indians, but should I be ordered away, I will send them to you without fail, you may depend. I am Sir, your mo. ob. huml. Servt.

J. LUTTRELL.

P. S. Yesterday I received a letter from Capt Hall, in the Hallows, which I have also enclosed you.

J. L.

THOS. CRAIKE TO GOV. CASWELL.

[From Executive Letter Book.]

WILMINGTON Febry 21 1778.

SIR:

I expected to have had the pleasure of waiting on your Excellency before this, but my long delay in Charles Town (occasioned by the unhappy fire) and the loss of my horses here, has detained me much longer than I intended. I purchased in Charles Town 64 blankets, which was all I could get, and about 2000 yds of plains fit for clothing, or to make into blankets. The fire happening two days before my arrival there, rendered it impossible for me to procure the clothing I wanted to purchase, as all the blankets that could be found were directed to be bought to supply the unfortunate sufferers, who had lost their bedding &c., &c. Captain Reicot has some blankets and woolens which would suit the Army, but he holds them at a very high rate. His blankets will exceed 8 ℔ each and very coarse, pr Ell cloth, not better than negro cloth, at 14 shillings pr yd. If he will take loan certificates, the only payment I can make him, I will if possible purchase what will suit the Troops before I go to Halifax. I have been obliged to borrow money to make my purchases in Charles Town, and when I shall be able to repay it, is very uncertain, from the low state of our treasury, or the prospect I have of getting money for my certificates.

If your Excellency has any commands I shall be glad to receive them at Halifax, or by the return of the express, if it comes within 8 days, as I intend to go for Halifax at that time if not before. I have the honor to be your Excellency's ob. Servt.

THOS. CRAIKE.

JOS. GREEN TO GOVERNOR CASWELL.

[From Executive Letter Book.

SURRY COUNTY 22 Febry 1778.

SIR:

I reached Williamsburg two days ago, and am now returning to Suffolk and South Quay, to despatch your provisions from thence to Williamsburg, and there wait until your needful comes from C.

G. at Congress, which has been sent for 3 weeks yesterday, and expected every day, when it is to be immediately forwarded to me at So. Quay with proper instructions.

The mode of putting provision up here is half bushel salt to ye barrel and then brine, with strong pickle. Your Excellency will excuse this short letter as I accidently met with the post, whom I could not detain any longer, and am your humle Servt.

JOSEPH GREEN.

P. S. Should you have an opportunity to let Mrs. Green know the reason of my stay, shall be glad, as she might be uneasy.

ANDREW ARMSTRONG TO GOV. CASWELL.

[From Executive Letter Book.]

HALIFAX Febry 22d. 1778.

SIR:

Your Excellency may possibly remember that the amount of the public money which I drew was £200, out of which I have paid 104,10 dol. which I at any time can support by well authenticated certificates. The redundant money I am willing to settle for, I have received no pay nor rations since the 1st of April, but is informed that Mr. Mosely our paymaster received £1500, last Assembly for the purpose of paying the 6th B. but has never appeared at this place,—I am at a loss to know if I am to strike a general balance, or to refund the money, on my hands and receive my pay from the paymæster. There are several others under similar circumstances. Col: Long has seen my accounts; providing he is at the Council he can give his opinion. I would not be thought to assume the insolence of a dictator but am pursuaded from sundry reasons that it is vain to keep public money in the hands of regular officers for the purpose of recruiting, as the bounty offered by us will be entirely eclipsed by that which will be offered for Militia Volunteers, nor does the disparity stop there, some of the gentlemen belonging to the State of Virginia, who have been drafted, have come into this State, and offered extraordinary bounties, a recent instance of which I was informed of a few days ago, by a certain Mr. Williams who keeps tavern by Col: Henderson's in Granville county; he told me that some

gentlemen had been at his house that morning and offered two thousand pounds for procuring 20 men, besides the bounty proposed in Virginia; and for the purpose of procuring them, sent out a man that lodges at this Williams', the man's name I disremember, he formerly did business for a company in Virginia. Perhaps Col: Taylor may know him from this description. The bearer can also inform your Excellency of some persons now gone from the State of Virginia to Tarborough to attend at Court, for the same purpose. I am the more particular in this relation as I am persuaded it may be worthy the attention of your Excellency and the Honorable Council. I am Sir, with all possible deference and respect your Excelleney's very humble servant,

ANDREW ARMSTRONG.

P. S. The officers here would be glad to know by whom they are to be paid their back rations.

A. A.

GOV. CASWELL TO COL. JOHN LUTTRELL.

[From Executive Letter Book.]

Dobbs 22d Febry 1778.

Sir:

The Council having met last week at New Bern and dispatched the business I had to lay before them, and not being myself in very good condition for travelling, I send the Bearer Mr. Patterson to receive any returns or papers you may have for me. I hope you have pursued the orders I issued last directing the officers, New recruits, Soldiers on Furlough, and apprehended Deserters, to repair to Halifax, and if I am happy enough to receive your return pr Bearer, I shall immediately give orders for the Troops marching from Halifax with some wagons that are going on with Soldiers Clothing to Pennsylvania.

I have several times heard of Col. Polk's return from the Grand Army, but not a syllable from him nor do I know that he is in the State.

I am Sir,

Your obdt servt,

R. CASWELL.

Colo. Luttrell or officer commanding the Continental Troops in North Carolina to meet him at Smithfield.

GOV. CASWELL TO HON. THOMAS EATON & WILLIAM TAYLOR ESQRS.

[From Executive Letter Book.]

NEWINGTON 22d Febry 1778.

GENTLEMEN:

Having wrote you some time past requesting your attendance in Council at Johnston Court House to-morrow, it becomes necessary that I inform you that the public business required a meeting of your Board at a shorter day, I accordingly summoned the Gentlemen who were most convenient and they attended at New Bern last week, where what business I had to lay before them was determined upon which together with my being somewhat indisposed prevents my going to Smithfield. I am Gentlemen your most obedient servant,

R. CASWELL.

GOV. CASWELL TO WILLIAM BRYAN & OTHERS ESQRS JUSTICES OF JOHNSTON COUNTY.

[From Executive Letter Book.]

DOBBS 22d Febry 1778.

GENTLEMEN:

Enclosed is a Dedimus for such Gentlemen as were added by the General Assembly last session to the Commission of the peace for your County. It would have been sent sooner, but I flattered myself with the pleasure of being at Smithfield to-morrow, where I had summoned the Council to attend, but matters of importance to the State required my calling a meeting of that Board to a shorter day. They met and the business I had to lay before them was finished last week at New Bern from whence I am just returned, and not well in health to set out immediately on another journey. I must therefore decline the pleasure of seeing you this Term, but promise myself it will not be long first.

Capt. Needham Bryan before he left the last Assembly signified to me his intention of offering himself as a Candidate for the Entry taker's office in your County, and requesting I would pro-

cure him a bound Book to make the Entries in, and as I know his abilities and the esteem he is generally held in the County, I have no doubt of his being appointed to that office, and will render him any service therein in my power as well on account of the People in General as his own in particular, to that end, I have sent him a Book, which I think will answer the purpose exceedingly well. I have ruled one side just to show the manner I would recommend to have the Entries made. Tho' at the same time I think it would be necessary to have the rough Entries taken down first on a kind of waste Book which ought to be copied fair into this. I hope I shall not be understood to mean any more by what I have now wrote than merely to serve a people I respect as having been long an intimate acquaintance with many of them and to whom I confess myself a friend.

I am Gentlemen, with great respect your ob. Servt.

R. CASWELL.

William Bryan & others Esqrs. Justices, Johnston County.

GEN. JOHN ASHE TO GOV. CASWELL.

[From Executive Letter Book.]

Rocky Point, Febry 23d 1778.

Sir,

Yours of the 7th Inst, did not reach me 'till the evening of the 28th which I hope will excuse my not complying with directions sooner. I enclose you all the returns I have been able to procure. I have never got a return from Col. Cray of Onslow, or Col. Smith of Cumberland, perhaps Col Cray may have his list with him, if so he will furnish your Excellency with it. I hold myself above measure obliged for the Honble command proposed, but am of opinion as things are ordered and circumstanced, should I accept it, I could not acquire any credit by it, or be able to render my Country the service I would desire, or any other person but yourself Tho' I would not wish you to take it should they be required before the next session, should it be judged after that not expedient for you, should it then be offered I may perhaps accept it, but more when I have the pleasure to see you. The 21st Inst. arrived at Wilmington a Flag of Truce with Major Alexr McLeod; Col.

Ward on her arrival put a guard on Board to prevent any correspondence from those on board with their friends on shore, and I have ordered the Guard to be continued, 'till I have your Excellency's direction. I have enclosed a Copy of the order of Flag, and General Lee's letter to me. I should be much obliged to you to despatch the Bearer as soon as it may be conveient to your Excellency.

I am with due esteem and respect,

Your Excellency's most ob. & very huml. Servant,

JOHN ASHE.

COL. ANTHY WARD TO GOV. CASWELL.

[From Executive Letter Book.]

WILMINGTON, Febry 23d 1778.

SIR:

I wrote your Excellency some time ago to send me in six Blank Commissions for the officers of two companies, but never received any as yet. But if your Excellency pleases to send them in I will take care to fill them up. I should have sent in their names, but as yet I am unacquainted with them. There is a Flag of Truce arrived in our River from New York, which I stopt, and put a Guard on Board, and then sent to Genl Ashe, to acquaint him of it and he desired me to continue the same 'till he has orders from your Excellency. I am Sir

Your most obedient humble Servant,

ANTHY WARD.

JOHN ANCRUM, WM. WILKINSON & JONA. DUNBIBIN TO GOV. CASWELL.

[From Executive Letter Book.]

WILMINGTON Febry 24th 1778.

SIR,

On Saturday last came up to this Town from New York, under pretence of a Flag of Truce, the Sloop Sucky & Peggy—Robert Dunlap, Master. We therefore think it necessary to send to you such

letters as have been delivered to us, that came in her. We should have equally sent you the Flag but, Col: Ward took it as well as a letter from Genl. Lee, to Genl. Ashe. We must beg leave to acquaint you that Major McLeod, who brings the Flag, was one of the principal acting officers in the Insurrection in this State, by the Highlanders and was himself in the engagement at widow Moore's Creek. We also enclose you these Depositions in regard to McLeod's going on shore at Brunswick, offering to purchase Cows &c, &c, &c of his being possessed of a large quantity of gold and silver. As he has heretofore been a traitor to this State, we are ignorant how far his views may be to renew a disturbance in the State. This we leave to your Excellency and your Council's better judgment what steps are necessary to be taken on the above, and whether the Flag is not broken by his the said McLeod's going on shore, and offering to purchase Cows &c. One other principal evidence we have not been able, as yet, to procure, as soon as we do, it shall be sent to you. We have ordered the Sails of the Sloop to be unbent, and have stored them in a warehouse, and have taken every precaution with those on board from the shore. We have the honor to be

Your Excellency's ob. huml. Serants.

JOHN ANCRUM,
WM. WILKINSON,
JONA DUNBIBIN.

RAWLEIGH COLSTON TO GOV, CASWELL.

[From Executive Letter Book.]

Cape Francis Febry. 29th 1778.

May it Please Your Excellency:

Presuming that some plan has been formed similar to that in Virginia, for the purpose of procuring the necessary supplies for the Army, and that this is under the direction of Government, I take the liberty of tendering my services, should you have occasion for anything from this place. I must beg leave to acquaint your Excellency that I had the honor to be sent to this Island in December last by the Governor and Council of Virginia, as agent

for that State; which I flatter myself will be considered as a sufficient testimony of my conduct.

The necessity of appointing agents at the different foreign ports, who are acquainted with your wants, language and customs, and feel for the interest of our Country must be apparent to your Excellency, and is still more so, to those who have witnessed the disadvantages that attend a defect in this respect. It is the policy of this Nation, and others that are best acquainted with the true interests of Commerce, to give all possible encouragement to those of their own Country, as by enriching individuals, they enrich the State. America has now an opportunity of following their examples, and the experience she has lately acquired, particularly in the Tobacco Colonies, should certainly dispose her to entrust the important and lucrative concerns of Commerce, in the hands of such as have a regard for her interests, and whose ultimate views are to restore to her to the fruits of their labours.

The rapid increase of American trade at this port, has rendered the commission business an object of attention, and determined me to reside here 'till the circumstances of our Country will admit of a more safe and extended trade. If I can render any services to your State, either in receiving any goods that may be directed from France, or in the purchase of any here, I shall be happy in your commands, and should your Excellency think proper to honor me with the agency of your State, it would greatly tend to promote my interest and influence to inclose an appointment in form, by different conveyance in a letter to his Excellency the Governor General and Commander in Chief of the Island of St. Domingo, which is the French appellation of their part of this Island. I am

Your Excellency's most obedient Servant,

RAWLEIGH COLSTON.

M. C. HILLEGAS TO GOV. CASWELL.

[From Executive Letter Book.]

YORK TOWN, 1st March, 1778.

SIR:

On the 24th September last I had the honor to transmit to you under the care and escort of Captain Cosmo Medici of the North Carolina Light Dragoons, which you were then requested to

deliver to the Commissioner of the Continental Loan Office appointed by and for your State, a number of Loan office certificates amounting to six hundred and fifty thousand dollars and altho' the said Captain Medici had directions to transmit me receipts or accounts of the safe delivery of the same, yet so it is that I have not been favored with them. I am therefore to request that you will be pleased by the very first opportunity to write me respecting the same. It would also be well that the Commissioner of the Loan office for your State immediately write to the Honorable the Board of Treasury here, not only as to what instructions, he has already received from them, but what success he may have had in putting off those certificates, and as to what prospect in future he may have in that business.

I am Sir with due regard your most ob. servt.

M. C. HILLEGAS.

GOV. CASWELL TO WILLIAM FINRICE ESQ., D. Q. M. G. S. D.

[From Executive Letter Book.]

No. Carolina Newington 1st March 1778.

Sir:

Your letter of the 19th last month I have just received, and shall give immediate directions to Col. Long D. Quarter Master General in this State to purchase six or seven wagons and teams to be sent to South quay. At present we have not a single wagon that is not employed. We have been happy to procure some clothing and other articles for the use of the Army, with which all the public wagons are gone on to the Northward. But I flatter myself the number above mentioned may be purchased in the western part of the State, and will prove sufficient for the present exigency and until you can supply what may be deficient.

I shall desire Col. Long to give you the earliest information of his purchases in this particular and of the time the wagons arrive at South quay.

I am Sir, your mo. ob. Servt.

R. CASWELL.

GOV. CASWELL TO COL. WM. AYLETT D. C. G. P. S. D.

[From Executive Letter Book.]

North Carolina, Newington 1st March 1778.

Sir:

Your letter of the 19th of last month came but *now* to hand. Mr. Green your assistant Commissary has been with you, I make no doubt before this, and I hope obained a supply of cash, as without that article the purchasing here must absolutely be at an end. What I had engaged before Mr. Green left this amounted to a much larger sum than that I received, and in full expectation of being supplied, I entered into contracts, by which without cash my own credit must suffer, for every shilling of money I could lay my hands on has been applied to the purchasing clothing and other necessary articles for the Army. Let me entreat you good Sir, if the money is not sent out, on your receipt of this to send it forthwith.

I am Sir, your mo. Ob. Servt.

R. CASWELL.

GOV. CASWELL TO HON. JOHN PAGE ESQ.

[From Executive Letter Book.]

North Carolina, Newington 1st March 1778.

Sir:

Your favour of the 18th last month I have just received, and will use every means in my power to have the wagons sent on to South Quay as soon as 'tis possible to obtain them. At this juncture it cannot happen as every wagon we had belonging to the State is employed in the same necessary business of yours, carrying clothing to the Army. I shall send immediately to the Quarter Master in this State to purchase six or seven wagons and teams for this purpose, and am convinced that these will be as many as will be useful at South Quay, to the United States. However in this I may be mistaken, there may be other resources for provisions than I am acquainted with and if the number I shall be able to send

should prove insufficient, I hope by the time others are wanted, your State will be able to supply them. I am with the greatest respect, Sir, your most obedient humble Servant.

R. CASWELL.

HON. BENJ. HARRISON TO JOSEPH HEWES.

[From Executive Letter Book.]

Berkely James River March 3rd 1778.

Dear Sir:

I am greatly obliged to you for your two favors from Edenton. I had a long letter prepared, when your last came to hand, but did not send it forward as I hoped to have the pleasure of delivering its contents in person at Berkely, where I flattered myself, I should have the pleasure of seeing you on your way to Congress. In it you had a full account of the proceedings of our Assembly, which no doubt have reached you before this. It is therefore unnecessary to say anything on that subject, now, except that I fancy from your account of the Assembly of N. Carolina, that all America is at present governed by such wise acres as you represent some of them to be. Our last Assembly is but a poor epitome of what you have seen it, but judge what the next will be, when I tell you that eight or nine of its best and wisest are taken out of it, to fill up the Council and other departments of Government. I really am deeply affected at the prospect before us, and see no way to extricate ourselves from the impending ruin, unless Heaven in its goodness would work a miracle, by making fools tractable. This can no otherwise be done, for obstinacy you well know is most commonly an attendant upon ignorance. I have been greatly alarmed by some letters I have received from my worthy friend, and accounts through other channels, that there was a party formed against our general, both in and out of Congress in favor of the Saratoga Hero. I give the greater credit to this, when I consider who they are that compose our Board of War, men who are most of them avowedly his enemies, and some of them too who are using every endeavor to rise by his fall. In the name of wonders how came it thus constituted? Are the good

and virtuous of you, and I know there is a great majority of such, taken in? Indeed I fear it and venture to foretell, that if you have not your eyes and ears about you, America or at least, this part of it will soon be in very great confusion.

I need not tell you that a constant correspondence will be most agreeable to me. I hope you know it, but I acknowledge that at the present I have a little self interest in the request, being very anxious to know from good authority, what is doing with you and in the Army.

Dear Sir,

Your affect. and obed't serv't.

BENJ. HARRISON.

CHAS. BONDFIELD TO GOV. CASWELL.

[From Executive Letter Book.]

EDENTON 4th March 1778.

SIR:

I have sent up to Mr. Henry Montfort for the purchasing Tobacco, to load the Brig Pennsylvania Farmer, the amount of the proceeds of the public salt in Edenton, except what I have advanced for the vessel. The proceeds of the salt being very short of what will be sufficient to purchase the cargo, Mr. Montfort and myself have agreed to put on board, and the Assembly having made no provision in the resolve, in that case, I have in order the vessel may be despatched sent the Bearer William Coltrain express to your Excellency, for an order on both or either of the Treasurers for such a sum of money as may be wanted for the above purpose, which will be at least, including the disbursement and outfits on the vessel £40,000. Should it be in your power, I would be glad to have the order by return of the express, as it will not be in my power to advance such a sum as will be wanting, being already in advance. I shall endeavour to have the vessel soon complete for sea, altho' she is much out of repair.

I am your Excellency's mo. ob. servt.

CHAS. BONDFIELD.

GEN. WM. SKINNER TO GOV. CASWELL.

[Executive Letter Book.]

PERQUIMANS, March 5th, 1778.

HOND. SIR:

Yours of the 5th last month, after 25 days past I duly received, and the contents noted. It is with real concern that I inform you, that since I left NewBern in December last, I have not recd one shilling into the Treasury, either by the collection of the State Taxes or the opening of the Land office nor have I recd £300, for old arrears.

The Land office in this part of the Country will bring in but a very small sum, and from the other parts of the State, I have no expectation of receiving any before the meeting of the Assembly.

The collectors of the present Taxes being allowed until the first of next month to make their collections, am doubtful little will be paid into the Treasury before. I shall use every method in my power to make a small collection, by the assembly, if possible and (if my health permits) immediately on my arrival there will wait on you. The price of coarse shoes in this part of the Country from the 1st of Nov. to the 1st Janry rose from 16 shillings to 26 shillings, occasioned by some Maryland Merchants engaging all that was to be had, and as the price was so much greater on my return home, than I had any reason to expect, declined engaging any until I had your orders, indeed the price is altering almost every day.

As the last Assembly thought proper to add Martin County to the District of Halifax, whereby the Edenton Brigade is some less, I thought it my duty to transmit to your Excellency a new return of the Militia in this District. I have had an additional return from Currituck County, which will occasion the enclosed and my former return not strictly to agree, indeed the whole returns from the different Counties is so irregular that it would require a person of greater abilities than I am master of to make a return fit for your inspection.

I have the honor to be with the greatest esteem your Mo. Ob. Servt.

WM. SKINNER.

GOV. CASWELL TO JOHN ANCRUM, WM. WILKINSON & JONA DUNBIBIN ESQRS.

[From Executive Letter Book.]

NewBern 7th March 1778.

Gentlemen:

Your letter of the 24th Ulto, I received but a few days ago, and immediately summoned the Counsel and laid your letter, with Genl Ashe's before the Board, who came to a resolution, of which I enclose you a copy and also wrote Genl. Ashe, and enclosed him a copy of the Resolve. The Despatches which Major McCleod sends to Mrs. McCleod and Mrs. McDonald must be perused by you in the absence of General Ashe and give me leave to recommend your observance of any matter properly within your department relative to the execution of this resolve, and give every necessary assistance to the Military in order to effect the same.

I thank you for the trouble you have taken in obtaining Depositions, and the informations which you have given me in this matter, and are confident your vigilance will prevent any bad effects accruing to the Country from McCleod's landing at Brunswick.

I am with great respect Gentlemen your mo. ob. servt.

R. CASWELL.

GOV. CASWELL TO GEN. JOHN ASHE.

[From Executive Letter Book.]

New Bern 7th March 1778.

Sir:

I had your favor of the 23rd Ulto with the papers sent therewith. The paper signed by Comr. Hotham is considered as a proper Flag, and they have recommended to me to grant leave to Major McCleod to carry out with his wife and son, and Mrs. McDonald and her four children with their Indented Female Servants. That he (Mr. McCleod) have leave to send an express to Mrs. McCleod and Mrs. McDonald to inform them of his arrival, and of their having leave to depart the State, and that the Governor direct the Guard to be continued while the vessel continues

in this State, and also that the persons on board the Flag be not suffered to come on shore or have any communication with the people on shore.

In consequence of which advice I am to request that you give Major McCleod notice of the permission granted him and Mrs. McDonald, at the same time you will be pleased to inform him, that he will not be suffered to carry any other persons or effects with him than what are above mentioned, and that the more expeditious he is getting away, the greater satisfaction he will give the State. The letters he sends you will be pleased to examine or in your absence require the magistrates to peruse and see that they contain no more in substance than what is intended to be granted him by resolve of Council. The other part of the Resolve respecting the Guards, you will also be pleased to attend to and see that the officer from time to time who takes charge of the Guard is trustworthy.

I am with great esteem and regard Sir, your mo. ob. Servt.

R. CASWELL.

PRESIDENT HENRY LAURENS TO GOV. CASWELL.

[From Executive Letter Book.]

York Town 9th March 1778.

Sir:

My last address went by Mr. Locky dated the 1st Inst. Your Excellency will receive under the present enclosure an act of the 7th Instant, recommending Wednesday the 22d April to be observed in these United States, as a day of fasting and humiliation.

I have the honor to be Sir, your Excellency's most ob. and Mo. huml. Servt.

HENRY LAURENS,
Prest. of Congress.

GOV. CASWELL TO THE CLOTHIER GENERAL OF THE CONTINENTAL TROOPS LANCASTER, PENN.

[From Executive Letter Book.]

North Carolina 14th March 1778.

Sir:

By two wagons this morning despatched, (Robert Christie and Isaac Aaron wagoners) I have sent under the direction of Col. Long Deputy Quarter Master of the Continental Troops in this State, as follows, 273 sides of Tanned Leather wt. 2743, cost 1 dollar per ℔. 57 sides curried Leather wt.—cost do. before. Dressed 56 sides only dressed for which 10 shillings per side was paid, 48 Deerskins in the hair wt. 190 ℔ cost 6 shillings pr ℔:

I have not received the weight of the curried Leather so that I am not able to furnish a regular account of the articles now sent. You are to observe a Coms of 10 per cent was allowed the purchasers for collecting and bringing in these articles. The accounts shall be sent pr first opportunity. Mr. Green from New Bern has sent some Leather and Skins on, there are several other quantities, shall be sent forward so soon as possible on account of this State. You will oblige me by remitting an account of the several articles you receive from this State on Continental account, from him, as they get to hand, I am &c.

R. CASWELL.

PRESIDENT HENRY LAURENS TO GOV. CASWELL.

[From Executive Letter Book.]

York Town, 14th March 1778.

Sir:

The last letter I had the honor of writing to your Excellency was dated the 9th Inst. and forwarded under the protection of of Colonel Baylor.

Enclosed with this your Excellency will be pleased to receive two Acts of Congress viz.

1. Of the 11th for defraying expenses incurred by carrying into execution the Act of this 9th Febry for suspending or removing supernumerary or delinquent officers.

2. Of the 12th Recommending to the several States, to keep constantly in Congress during the War at least three members.

I have the honor to be with great esteem & respect Sir,

Your Excellency's Ob. & mo. huml. Servt.

HENRY LAURENS

Prest. of Congress.

GEN. LACKN. McINTOSH TO GOV. CASWELL.

[From Executive Letter Book.]

Sir :

I had the honor of writing to your Excellency the 9th January pr Lieut. Col. Dawson of your State which I hope you received. I am sorry I have to inform you the men of my Brigade here have suffered severely this winter for want of clothing and other necessaries. Fifty of them died in and about Camp since the beginning of Janry last, and near two hundred sick here now besides as many more reported sick absent in different Hospitals of this State and Jersey, a most distressing situation! and only Dr. McClure of the second Regiment to attend the whole of them until a few days ago. I fortunately got another young man, to assist him, but cannot tell how he will turn out yet.

I cannot with propriety or Justice on this occasion avoid complaining of Doctor Cooley of the 5th Regiment to his State, which I think he has been ungrateful to, and cannot help charging him with inhumanity, also in leaving so many of his brave Country men to perish without assistance. When I was first informed of him, I ordered him in the most positive terms to stay with the Brigades. He attempted to make a plea, that in consequence of a former order for the Staff of the six vacant Regiments to go home with the other officers, he had sent off his Baggage, therefore could not stay and at last went without leave, for which I stopt his pay for January February and an extra Bounty & 6 months given by Congress to the Army with General Washington's approbation, and dare say your Excellency will think with me, he deserves still further marks of Resentment from his Country.

This season produces nothing worth mentioning to you save little skirmishes between foraging parties of no account.

I hear Col. Shepperd's 10th Regiment is under Inoculation at George Town Maryland, but have no account from himself.

I have the honor to be respectfully

Your Excellency's most obedient servant,

LACKN. McINTOSH.

CAPT. COSMO MEDICI TO GOV. CASWELL, N. C.

[From Executive Letter Book.]

HALIFAX March 21st 1778.

SIR:

By the bearer Lieut. Ben Mills of Light Dragoons, I take the liberty to trouble your Excellency concerning recruiting money, as I was ordered from the Northward partly on the account, and have a number of horses, and no men to mount them. It would therefore answer no purpose for me to return in this situation.

I believe sir men are to be had provided we had money to recruit with. Capt. Ashe is at this place waiting for that purpose. Our Troops of Horse are augmented to forty, so that Capt. Ashe's Troops and my own, are wanting to complete thirty two Troopers, so that at the usual bounty given thirty dollars, will take nine hundred and sixty.

I should be extremely happy your Excellency would point out some way for me to come at the above sum, I am informed that Mr. Daniel Mallett of Wilmington has some public money in his hands, and will deliver the whole or any part of it up, on a proper warrant, from your Excellency for that purpose. I need not urge to you Sir, the necessity of our making all possible expedition to join the Grand Army. Should there be no money at this time, to be had, your Excellency will please to direct me, what steps would be proper for me to take. Genl. Howe is in Georgia, and forming an expedition against Augustine. The South Carolinians are to assist in this undertaking. I don't think he means to attack the Fort, but rather to cut off the communication of their frontiers, in order to prevent the large supplies of provisions going into

that place. The Assembly of Georgia have ordered a sale of all the properties, of those people who have absented themselves from that State, and have directed the Managers to take no money in payment, but continental and their own currency, this is done in order *as they say* to humble the pride of the South Carolinians, who refuse to take their money, but at an under rate. We have nothing new at this place. Only, that we had an elegant Ball last night, all exceedingly merry.

I have Sir the honor to be with all due respect your Excellency's most Ob. & Mo. huml. servt.

COSMO MEDICI.

COL. JAMES HOGUN TO GOV. CASWELL.

[From Executive Letter Book.]

HALIFAX March 22nd 1778.

May it please your Excellency:

I was honored with yours on the 17th Inst. and as to the six wagons I despatched on the 12th Inst. under the command of Capt. Tarrant, Lieuts. Sumner, and Jones with thirty nine privates including wagoners, but Sir I am informed that nine of the above guard has deserted since. I have this day sent off two wagons with the leather under the command of Capt. Gambell and sixteen privates.

On the ninth Instant I sent expresses to all the officers that I knew of in this State, except those whom I expected Col. Polk to send down as I was told that they were on their march at that time, but as neither officer or soldier has appeared yet from that District, I shall wait a few days longer for their arrival, and if they fail coming, send off what is here. I expect we shall have many resignations as there has been three already to wit, Capt. Walker, and Lieut. Grandy of the 7th also Lieut Sexton of the 6th Regr. Should be glad of your advice how to proceed with those that does not appear. I have the honor to be Sir, your Mo. Ob. huml. servt.

JAMES HOGUN.

JOHN LONDON TO GOV. CASWELL.

[From Executive Letter Book.]

SIR:

I have already been so troublesome to you, and feel myself under such particular obligations to your Excellency for the indulgence I have received, that it is with concern I am obliged to add to the one, and to solicit the continuance of the other by beseeching your excellency to postpone laying my memorial before the General Assembly 'till the session in October next. The clemency that distinguishes your public conduct, and the time being specified in the confiscation law for the admission of citizens encourage me to hope your Excellency will grant my request.

Inconvenient and disagreeable as my situation may be, I shall willingly submit to it, rather than by a precipitate, act, hastily relinquish those friends and connections who have hitherto been the chief support of my fortunes. In this life; this alone, I am persuaded would be motive sufficient to influence a mind liberal as your own. I therefore beg leave to assure your Excellency in the most solemn manner, that I will not in any wise concern myself with any measure whatever, inimical to the liberty of America, and will strictly conform to any parole you may require of me, nor do I ask any enlargement of my present narrow limits, unless your Excellency shall be satisfied in your own mind, that I merit it.

I have taken the liberty to enclose a memorial in the room of the one presented to your Excellency at NewBern, altered only, to the intent of my present petition. I am with great respect, Sir, your Excellency's most obliged and most humble servant,

JOHN LONDON.

WILMINGTON 23d March 1778

GOV. CASWELL TO COL. JOHN WILLIAMS, CASWELL COUNTY.

[From Executive Letter Book.]

NEW BERN 23d March 1778.

SIR:

Mr. Purnell assistant Com General, to whom you was requested by the Board of War to send 12 wagons, you engaged to purchase for Continental use to Edenton is now here, he has been some

time waiting at Edenton, but hearing nothing from you thought to come this length to consult me on matters relative to the business of his department, and at his instance I am to request you to send with the utmost despatch not only the 12 wagons which you promised to endeavor to purchase, but also eight others making in the whole twenty if you can possibly procure them, as there is Mr. Purnell assures me, clothing sufficient to load that number. And you know the great demand there is for it at camp, I therefore need say nothing to recommend this business to your particular & immediate attention.

You will be pleased to send an express on receipt of this to Mr. Purnell at Edenton acquainting him how far you have proceeded. What time he may expect the wagons there, and the number of them you will also be pleased to let me know what steps you have taken, and if you expend or engage any more money than you have been furnished with, let me have your account that proper provision may be made, as the Assembly will I suppose be sitting before I can expect to hear from you I shall be glad to receive your address here.

I am Sir, your mo. ob. Servt.

R. CASWELL.

GOV. CASWELL TO J. B. BEASLEY, ESQ.

[From Executive Letter Book.]

NewBern 25th March 1778.

Sir:

Your letter of the 20th instant I have received. Whatever may be my private opinion with respect to the power of the court of Admiralty in appointing a Marshall it is unnecessary to inform you as the General Assembly have exercised the power of appointing, and seem by the law passed last session to intend continuing to do so, it will be my duty to commissionate such as they appoint. In the present case, where the Marshall is dead I have power with the advice of the Council to issue a temporary Comn. which I shall do if the Council give such advice. Your letter I shall lay before the Board on its first meeting this I hardly expect will

happen until the meeting of the assembly, which is the day to which the Council stand adjourned and I believe it will be difficult for me to get the members together sooner. No advocate for the State has been appointed, nor has any gentleman ever been recommended to me for that office. I am Sir, your mo. ob. Servt.

R. CASWELL.

GOV. R. CASWELL TO MICHL. HILLEGAS ESQ., C. TREASURER.

[From Executive Letter Book.]

No. Carolina, NewBern, 26th March, 1778.

Sir:

In answer to your favor of the first Inst. which I had the honor to receive three days ago. I am to acquaint you that in December last I received per Capt. Medici, Loan Office Certificates to the amount of six hundred and fifty thousand dollars, which with others sent me before, to amount of one hundred thousand dollars more, I delivered to James Green Esq., Treasurer of the Loan Office, the 25th December, the day after his appointment by the General Assembly. I shall communicate your letter to Mr. Green and doubt not he will write to the Board of Treasury as you advise. He has had very little success in putting off the certificates.

I am Sir, your most obedient servant,

R. CASWELL.

GOV. CASWELL TO HON. PRESIDENT LAURENS.

[From Executive Letter Book.]

North Carolina, NewBern, 26th March, 1778.

Sir:

I had the honor to receive your letter of the first Instant, two days ago, with its enclosures.

The Resolutions of Congress for filling up the Battalions I shall lay before the Legislature which is to meet here the first Monday in next month, the other for ascertaining the amount of

necessaries supplied British prisoners, I shall pay proper attention to, and endeavor to transmit the account required in time.

If Congress shall think proper to permit Genl. Burgoine to go home, I trust great good will arise to America from his representations there as his own honor will constrain him to relate matters truly as they happened. The Resolution of Congress for detaining his Army in America 'till the Convention is ratified, has given great pleasure to the Sons of Freedom in this part of the States. I have the honor to be with the greatest esteem and regard, Sir, your most ob. humb. servt.

R. CASWELL.

GOV. CASWELL TO CAPT. COSMO MEDICI.

[From Executive Letter Book.]

New Bern 27th March 1778.

Sir:

I had your letter of the 20th March Inst. and should be very glad to do any thing in my power to forward the recruiting business, but I have received no authenticated account that our light Horse are to be augmented. If you have any Resolution of Congress or orders from the General or any of your Superior officers, you will do well to send the same to me. The Assembly is to meet on Monday week, and if any difficulty shall arise in this business, it will be a proper time to apply for the assistance of that Body. I know of no officers or other persons in this State on whom I can draw for public money but the Treasurer.

I am Sir,

Your most obedient,

R. CASWELL.

GOV. CASWELL TO COL. HOGUN.

[From Executive Letter Book.]

NEWBERN, 27th March 1778.

SIR:

I was favored with yours of the 27th Inst. I am very glad to hear you have sent the wagons on at the same time confess it gives me great pain to hear of the Desertion of our Soldiers and the tardiness of those effected from the westward.

Those officers who wish to resign, I think you will do well to receive Coms. from, as they would be of little service to be continued on the List. Nothing can be done with the western people 'till the Assembly; pray send all on as they arrive and let them know that an Hospital is provided and surgeons at George Town in Maryland for Inoculation where I am directed by Congress to send our Troops to go thro' that operation.

I am very respectfully, Sir,

Your mo. ob. Servt,

R. CASWELL.

GOV. CASWELL TO HON. GENL. GATES, PRESIDENT BOARD WAR

[From Executive Letter Book.]

NORTH CAROLINA NEW BERN, 26th March 1778.

SIR:

Your favour of the 29th January and 7th February I received only three days ago. The Board of War may rely on my doing everything in power to forward the clothing from this State to the Continenal Army. Some small time past a considerable quantity of woolens, some Ozenburgs, stockings and other articles were sent from this State being purchased here particularly for troops belonging to this State to the Clothier General at Lancaster, to whom an Invoice of the goods was sent and I presume a copy to the Board of War, if that has not been done it shall so soon as I can receive information from the person employed to purchase.

I am concerned at your not receiving a letter wrote immediately after receiving instruction to purchase leather, shoes or skins.

Considerable quantities of each of these articles have been purchased and some sent forward to the Clothier General at Lancaster. In my former I had mentioned the prices I had directed to be given, viz: Tanned leather per lb 8s, Deer skins in the hair, 6s pr. lb., Indian dressed 12s and shoes 24s per pair, these prices I informed you were high but I was apprehensive they would rise, and desired to know if I might exceed them.

I find since that I was right in my conjectures for altho' I have allowed persons 10 per cent for forwarding and collecting these articles, at the prices above mentioned, many refuse selling them and hold them much higher.

Pray let me have your directions herein. I expect to receive at the meeting of our General Assembly (first Monday in next month) accounts from all the purchasers by me employed, when they shall be transmitted to the Board without delay.

What recruits we had have lately been ordered to the Northward as Guards to the wagons that went on with clothing. Little of that business is done here now, but I have great expectations that proper attention will be given by the General Assembly to the recommendations and resolutions of Congress which I shall lay before that body on its first meeting. Such troops as shall hereafter march from this State shall receive the necessary direction with respect to the place appointed for inoculating for the Small Pox.

I have the honor to be with great respect and esteem, Sir, your most obedient humble servant.

R. CASWELL.

GEN. HORATIO GATES TO GOV. CASWELL.

[From Executive Letter Book.]

WAR OFFICE, March 28th, 1778.

SIR:

I do myself the honor to enclose you the Resolve of Congress of the 19th Inst. respecting the Troops destined to reinforce the grand army. Unfortunately after they were passed they lay several days before they were handed to this Board; but they demand the most immediate attention and execution. What gave

rise to the first was an apprehension that the recruits might be detained in their respective States, 'till they had been inoculated. This the present posture of our affairs absolutely forbids. The campaign will soon be open; and with all the diligence practicable it is to be feared the reinforcements will not arrive in time to enable the commander in chief to take measures the most necessary and advantageous before the enemy get reinforced. Genl Washington has received intelligence that they are embarking Troops at New York, and Rhode Island, destined (it is said) for Philadelphia; and he is to the last degree, anxious to have the reinforcements speedily join him. In the first place, that he may be prepared for defence. In the second place, to take advantage of any favorable circumstance which happen to injure the enemy.

The recommendation to provide cartridge boxes and tin canisters for cartridges, is given because of the almost total want of them, in the public stores, and the impossibility of making a number any degree equal to the demands of the army, in the public manufactories, where the workmen are few, and it is imppossible to increase them, agreeably to the direction of Congress. The Board gives the following description of the tin canisters: They are to be six inches and a half deep or long, three inches and three quarters of an inch broad,(this width receiving the cartridges lengthways, as they lie in a horizontal position) and two inches and seven-eighths of an inch thick (this thickness admitting four cartridges to lay side by side) a box of these dimensions in the clear will contain thirty-six cartridges with ounce balls. A wire is so fixed in all the edges at the top and then each side turned down, (outwards) a full half inch, and soldered. The cover is to be a full half inch deep, so that when fixed on the canister, the edges shall come close down to the ledge, formed by the enclosed wire. This cover at one end turns on a hinge an inch and a quarter long, the wire (fixed as above mentioned) being laid naked, that space for the purpose; and a piece of tin is run underneath this wire, doubled together and soldered on the inside of one end of the cover. The soldier carries a canister by a shoulder belt, as he does a cartridge box, and for this reason the canister has fixed to it three loops of tin, each half an inch wide, with the edges turned back, to be smooth and strong, one of them is placed underneath the middle of the

bottom, and one on each of the narrowest sides, the latter at four inches distant from the bottom to their lower edges. The loops are to be bent down, at each end, and very well soldered, leaving a space to admit a leathern belt, full one inch and a half wide, and nearly an eighth of an inch thick. The corner opens against one part of the belt, which causes it to fall down, after a cartridge is taken out, by which means the rest are secured, from accidental fire. If possible the canisters should be japanned, or painted, to preserve them from rust, and all fixed with belts.

The board are of opinion that these canisters are preferable to cartridge boxes, as they more infallibly secure the cartridges from rain, and their weight is so trifling as to be no burden to the soldier, and seeing leather is so scarce they will be a most excellent substitute for cartridge boxes. I am Sir, with great respect

Your most obedient servant

HORATIO GATES,

President.

GOV. CASWELL TO WILLIAM SHARP, ROBERT LANIER AND JOSEPH WINSTON ESQUIRES OR EITHER OF THEM —SALISBURY DISTRICT.

[From Executive Letter Book.]

Dobbs County 30th March 1778.

Gentlemen:

The enclosed Commission would have been sent you long ago, but for want of a certain conveyance. It goes now by one Mr. Gibson, who promises to forward it by a safe hand to Mr. Sharp.

In order to enable you to hold the treaty mentioned in your Commission, you may draw on me for any sum, not exceeding one thousand pounds. I wish you success in the business, and am, Gentlemen,

Your most obedient servant,

R. CASWELL.

JOS. PURNELL TO GOV. CASWELL.

[From Executive Letter Book.]

EDENTON, 30th March 1778.

SIR:

I have the honor to inform your Excellency that on Saturday last Eleven wagons arrived here from Col. Williams conducted by a Mr. Frederick Dubow. I have received no advice from Col. Williams respecting them, upon what terms he has engaged the wagoners, the Conductor or what money he has supplied him with towards bearing his expenses. I expect to get them all despatched to-morrow. I cannot procure a Guard here at any rate. As I understand the wagoners are all enlisted Troops, if any arms and ammunition were to be had here, I would endeavor to obtain as many as would arm them. I intend staying here myself until I hear from Col. Williams in answer to your Excellency's letter, respecting the additional number of wagons, and if there is a probility of their coming in any reasonable time, will wait to receive them.

I am with great respect,

Your Excellency's Humble servant,

JOS. PURNELL.

LIEUT. THEODORE. BLAND TO GOV. CASWELL.

[From Executive Letter Book.]

SIR:

The enclosed letters were delivered into my hands by Col. Baylor of the light Horse, who received them from the Honble the President of Congress and was by him desired to forward them by express, to which end I have for several days, used my utmost endeavours to employ one. I have at length agreed with the bearer Conway to convey them to your Excellency. He is to receive fifty dollars Continental currency for so doing, which as I have no public money in my hands for that purpose I hope your Excellency will be pleased to order him. He is to return a certi-

ficate of his having delivered them, on which be pleased to make him sign a receipt, for his wages. I have otherwise rendered my own private purse liable to him for that sum.

I am with respect,

Your Excellency's most obedt huml servt,

THEODORE BLAND

Lieut. 1st Regr of Light Dragoons.

March 31st 1778. Petersburg.

GOV. CASWELL TO MICHL. HILLEGAS ESQ. C. TREASURY.

[From Executive Letter Book.]

North Carolina, Newington 31st March 1778.

Sir:

I some time passed employed Messrs. Matthew Lock and James Smith of Rowan County in this State, to purchase, agreeable to Resolve of Congress, Tanned Leather, Shoes and Deerskins, and have lately been advised they have advised considerable qualities of those articles which I have this day wrote to them to send immediately on to the Clothier General at Lancaster. I have furnished money for the purchases, but am apprehensive the wagoners, whom they may employ to carry on what they have purchased may want pay for the wagonage on the delivery at York or Lancaster, and as these Gentlemen reside about 250 miles from me, it will be very inconvenient and expensive to send down to me, after knowing the number of wagons they employ and what will be the amount of the expense for a draft on the Treasury. I have therefore requested them or one of them to give the wagoners orders on you for the wagonage, and to advise you by letter, for the same. These orders I am to request, under the circumstances I now mention you will be pleased to answer. These Gentlemen will send on the number and weight of the articles, but their accounts will be remitted to me, which with the General accounts of the purchases I shall transmit to the Honble the Board Treasury and the Clothier General.

I am, Sir,

Your mo. ob. Servt,

R. CASWELL.

GOV. CASWELL TO MAJR. JAMES SMITH—ROWAN.

[From Executive Letter Book.]

NEWINGTON, 31st March 1778.

SIR:

Your favor of the 25th Instant by Mr. Gibson, I recd, and am sorry to hear of your indisposition, and also that the prices are so high of the articles you were requested to purchase for the public. However, our demands are such as to make it necessary that these articles should be bought at any rate, and I know you have done the best you could, for which I thank you as well for our Common Country as myself, and I hope you are before this in a good way of obtaining your health and strength, which the allwise Disposer of human events will in his wisdom restore to you.

I must beg you will assist Mr. Lock to whom I have sent £1000 more to complete the payment of his purchases to procure wagons and send all the purchased articles to the Clothier General at Lancaster, the wagoners should give two receipts of the same tenor, and date mentioning the number & weight of the particular articles they carry, one of which receipts should be enclosed to the Clothier General of the Continental Troops at Lancaster, the other to be sent down to me with your account, which you'll please to forward by some Gentleman coming to the Assembly. I have written to the Continental Treasury to answer any Drafts you and Mr. Lock or either of you draw on him in favor of the wagoners for their wagonage. A copy of the letter is enclosed, the contents of which you will be pleased to observe.

Let me entreat you to consult Mr. Lock on these matters, and join with him in giving all the despatch you possibly can, as the articles you purchased are much wanted at Camp. I am very respectfully Dr Sir, your mo. ob. servt.

R. CASWELL.

GOV. CASWELL TO MATHEW LOCK ESQ., ROWAN.

[From Executive Letter Book.]

NEWINGTON, 31st March 1778.

DEAR SIR:

I have your favor of the 24th inst. by Mr. Gibson containing an account of your purchase of shoes, leather and skins for the public, the prices are high, but the necessities of our army are such as to require them to be had at any rate, and as I am satisfied you have bought an the best terms you could, I can but thank you for the public as well as on my own account, for the pains and trouble you have taken in this very essential business, and in order to enable you to finish your purchase of the leather you mention, I send you by Mr. Gibson $2,500 dollars, and request you will give the price required to-wit 8c pr. lb. for good tanned leather. The articles you have purchased as well as those purchased by Maj. Smith, you will be pleased with Mr. Smith's assistance to procure wagons, and send on with the greatest despacth. You know the current prices in your part of the country, and to you and Mr. Smith I leave the management entirely. The wagoners should sign two receipts of the same tenor and date, expressing the number and weights of the particular articles they carry, they are to be delivered to the Clothier General of the Continental Troops, at Lancaster who is to give them receipts for what they deliver him, one of each of the receipts the wagoners give you should be enclosed to the Clothier General, and the other sent down to me with your account which you will be pleased to furnish me with by some gentleman, coming down in the time of the Assembly, and as it is probable the wagoners may choose to receive their wagonage at the Northward. I have wrote the treasurer to answer yours and Mr. Smith's or either of your drafts in their favor a copy of the letter to him I inclose you and request you will observe its contents.

We have no news from Camp. The Army seem content in their winter quarters. I have been most earnestly requested to fall upon ways and means to fill up our Continental Battalions, and send them on early to assist in the Campaign. But you know nothing can be done 'till the meeting of the Assembly. Rumors

prevail that Lord Chatham is at the head of the Ministry in Britain, and that a cessation of arms is shortly expected, but no certainty of those things. That Lord Chatham may be at the head of the Ministry I most sincerely wish, but hope never to know with certainty that hostilities are to cease 'till our Independence is acknowledged by Britain.

I wish you health and happiness. I am dear Sir, most respectfully yeur obedient Servant,

R. CASWELL.

COL. ABRA. SHEPPARD TO GOV. CASWELL.

[From Executive Letter Book.]

GEORGE TOWN, 7th April, 1778.

DEAR GOVERNOR:

Sir, yours of the 18th March by Capt. Herron came safe to hand the 3rd of this instant, and am glad to hear that you are in health, and that our old friend Cogdell has ousted that polite gentleman, and that the Doctor will no more poke his nose in the Breech of our Grandees at the Assembly. I had a letter from General Gates the other day, regarding my not marching my Troops too soon out of the small pox &c—but no news at Camp, only it is thought Howe has a reinforcement from Long Island. This day four weeks, we were here inoculated, and are all pretty well over it, not many of them had it bad, only four died, a sergeant Priscott, and three soldiers, owing to their bad colds and pain, and two others died that were not inoculated owing to their being so ill when we came to town. I myself have had the pock broke out pretty well in my face and head, which is something troublesome, to me in the face as they dont dry up fast. We should have been able to march next week but the measles rages fast among the young soldiers, which seems to be worse than the small pox. I am sorry that Mr. Robert Turner got that wound, as he was a good officer. I should be obliged to you, as soon as he gets well enough to let him recruit more soldiers, as NewBern is a good stand, and he a very good hand at recruiting. Capt. Wilson has joined us here, and has conveyed and left at Halifax what he could gather

of his deserters, which he says is about twenty. I should be glad if Capt. Meacham Sheppard could stay at home to recruit or resign, as I am confident his constitution will not admit of his undergoing a Campaign. Our men that are not down with the measles, are brave and hearty and fit to undergo the Campaign I am in hopes very well. We have lost in all since we crossed Roanoke 20 men by death. I should be glad to hear from you the first opportunity and to hear what you say regarding Col: Sheppard. I am dear Sir, your Excellency's mo. ob. huml Servant,

ABRA. SHEPPARD.

JOS. PURNELL TO GOV. CASWELL.

[From Executive Letter Book.]

EDENTON, 8th April, 1778.

SIR:

I did myself the honor to write your Excellency by the latest post, informing you of the arrival at this place of eleven wagons sent by Col: Williams, which I have since sent off without any Guard, with directions to the wagoners to apply to the commanding officer at the first post he comes to for a Guard. I have likewise received a letter from the Honorable the Board of War of the 16th ulto, which amongst others contains the following paragraph:

"The Board are surprised, that they have not heard a syllable from Col. Williams since his departure, and therefore will desire you will enquire what he is about, and write the result of your enquiry to the Board."

Before I recd this letter I had despatched the wagons sent by Col. Williams, with advice to them of the same, but as he had given neither the Board nor me any intelligence of the terms or expense, and as I understand Col. Williams is elected a member of Assembly, and probably now at New Bern, and also myself waiting with impatience to hear whether or not he can furnish the wagons ordered by your Excellency, I thought it my duty to transmit to you a copy of the foregoing paragraph, and beg to be

favored as soon as convenient with an answer. I am Sir, with the highest respect your humble servant,

JOS. PURNELL, A. C. G.

HEWES & SMITH TO GOV. CASWELL.

[From Executive Letter Book.]

EDENTON 9th April 1778.

SIR:

We had the honor to address you this morning once before and that time forgot to mention that your Excellency should send us three receipts for the Tickets sent, with the number expressly enumerated, or mentioned and expressed. The order of Congress we take the liberty to enclose. We pray this may be attended to as we run a very great risk without it by that Resolve. We are with great respect Sir,

Your ob. servts.

HEWES & SMITH.

THOS. CRAIKE TO GOV. CASWELL.

[From Executive Letter Book.]

WILMINGTON April 11th 1778.

SIR:

A French S—— has arrived here with a cargo of Dry Goods, a great part of which is very suitable for the army,such as coarse cloths middle quality, and fine ditto, coarse linens and checks, shoes, hats, woolen stockings &c. There is also 9000 lb Roll Brimstone, and 20 lbs of tin in sheets, besides many other articles which our officers in Camp are much in want of.

I am told that every State, excepting No. Carolina have stores at Camp, or some convenient place to supply their own officers and men, agreeable to the Resolves of Congress. This discrimination must very sensibly affect the Troops of this State, who are equally entitled with their fellow soldiers of the other States to be supplied with the necessaries they are in need of at reasonable rates.

I hope the Assembly will consider their situation and redress their sufferings, by forwarding to Camp every kind of Goods they have occasion for.

I have agreed with Mr. Toomer for 150 sides of Leather which will be ready in about 16 days. I have also purchased since I came here, about 300 pair of Shoes, and expect more soon. Col. Long has not sent any wagons for the Goods, which I am very anxious to have forwarded before I leave this Town. If the wagons don't come in a few days, I must be at NewBern, as I want to be at the Assembly early to settle with the public.

I hardly know whether to make a contract for goods or not, it is so uncertain if I can get money to make it good. The purchases and engagements I have made will more than draw the money in my hands belonging to the public.

Two vessels are now loaded in this port, intended for Charles Town with provisions. If your Excellency should think it necessary to issue another proclamation forbidding the exportation of those commodities it will lose its effect unless it arrive here before the expiration of the present. I have the honor to be

Your Excellency's Ob. huml. Servt.

THOS. CRAIKE.

P. S. Mr. Quinn and others have brought the cargo at 7½ for one. I expect they will gladly part with the woolens &c on moderate terms.

THOS. CHADWICK TO GOV. CASWELL.

[From Executive Letter Book.]

Beaufort, 11th April 1778.

Sir:

Agreeable to your Excellency's instructions to me I waited on Capt. Cottineau, and have with him fixed on a proper place for a Guard to be placed at, about half way between the Bay and Inlet, it being the most convenient to alarm the Country from, and have agreed on the proper signals to be given with Capt. Cottineau, the minutes of which I send your Excellency enclosed.

I have given copies to the several Captains, and shall be ready upon every occasion to push the Militia forward for the common defense, and am with due regard,

Your Excellency's Obedt. Hume. Servt.

THOS. CHADWICK.

FRANCIS BRICE TO GOV. CASWELL.

[From Executive Letter Book.]

WILMINGTON April 11th 1778.

SIR:

The hurry of business may prevent your Excellency from continuing the Embargo on Provisions, and as the time is nearly elapsed, I am requested by a number of the inhabitants of this Town, to entreat your Excellency (with your better judgment) to continue the Embargo on Flour particularly, as we have the greatest reason to believe, that a quantity of that article is now in readiness to be shipped to Charles Town, as soon as the time expires. We are induced to give your Excellency this trouble, as the price of Provisions in Charles Town will well pay for the risk of sending it round, and should it not be prevented, they must necessarily rise here, and the prices are sufficiently high already, indeed flour is very scarce, from a quantity being bought up for shipping. I am with the greatest respect your Excellency's very Ob. huml servt.

FRANCIS BRICE.

P. S. As we are at so great a distance from the seat of Goverment, we could wish your Excellency's Proclamation to be sent in before the time elapses, as a great quantity of Provisions might be shipped in even one day, or at least before your Proclamation could reach us.

F. B.

FARQUHARD CAMBELL TO MESSRS. BURKE, HARNETT AND PENN, DELEGATES IN CONGRESS FROM NO. CAROLINA.

GENTS:

As I understand that no person is permitted to dwell in the State of No. Carolina without taking the State Oath and being

extremely desirous of returning thither to live peaceably with my family I have thought proper to acquaint you as the Representatives of the said State that I am willing to become a subject thereof by taking the Oath of Fidelity prescribed to other citizens. This Resolution I intended to have communicated to you in person but could not obtain the permission of the County Lieuttenant to wait on you I am therefore under the necessity of intimating it by Letter which I hope will satisfy you so far as that you will grant me a sufficient passport to return home and give necessary orders for discharging me from my present confinement and you'll greatly oblige your most

Humble Servt.
FARQD CAMPBELL.

Sharpsburg Washington county Maryland April 12th 1778.

DR. THOMAS BURKE'S RESPONSE TO RULE OF THE HOUSE.

Mr. President:

I received the proceedings of the house with respect, and (protesting that until the laws of the State I represent shall expressly declare the contrary, I shall hold myself accountable for my conduct in Congress to that State, and no other power on earth) I shall use the freedom which according to my idea belongs to a Republican, and a representative of a Sovereign people in the answers I shall make I consider the minutes of the 10th of April as a charge of a breach of order in the thing, and a contempt in the manner. I admit that withdrawing without the permission of Congress is a breach of order, and I hold that no member can deny his personal attendance at reasonable hours or even his sentiments on any question debated before him, except by special leave of the house, without incurring the penalties on misbehavior in office and I have only to alledge *in excuse* that I had so uniformly observed the members of Congress withdraw themselves at pleasure from attendance on Congress, and without reprehension that I thought it not improper to use a liberty which had been denied,

as I conceived to no other member, when I deemed the subject of too much importance to be debated and determined, at a time when the faculties of the members were tired by the attendance of a whole day and when my own particular indisposition rendered me incapable of giving that attention which I thought my duty to my constituents required.

As to the manner, I am not conscious of having intended a contempt. I did not, nor do I now admit that less than nine States can make a Congress—I understood not that the message came from the President, but deemed that it came from Colonel Duer whose name the messenger particularly mentioned, from whom he delivered a private message to the delegate from Georgia requesting his company as a favor, and to whom I intended my words should be conveyed. Before my departure, I heard Mr. Lovell from Massachusetts say to the House "there is no further occasion to call the states, this declaration is decisive;" in which I thought the House acquiesced, and that the adjournment was compleat. The Delegates from Georgia, who always answered the last in order accompanied me under the same persuasion with respect to the minutes of the eleventh. Protesting that as a delegate representing a free and sovereign people, I am entitled to entire freedom of debat', I say that the expressions minuted were accompanied with and explained by other expressions not minuted, which declared my sense to be, that Congresss have a power so far as to enforce the attendance of the members, that if the hours of attendance were ascertained by Congress I would punctually attend but if not I must use my own judgment at the risk of any consequent punishments as to the time being reasonable when my presence is required, that I am at all times ready and willing to submit my conduct and opinions to my constituents, in whose justice I have the firmest confidence, and to whom I owe as a duty, to prevent, if I can, the decision of important matters, when members cannot duly attend them, that conviction of error always did, and always shall precede concession with me.

That (abstracts from the breach of order under consideration which I meant not to justify, but excuse) my general political opinions were that undue, or unreasonable exercise of any power tho' lawful power, is Tyrranical, and that no freeman is bound to submit to it. That every freeman must use his own judgment on

it before he determines to disobey, for until he does disobey there can be no subject for any other judgment and it remains for his Country to decide whether he is mistaken or not, and if he is, he incurs the penalties provided by Law.

That it is Criminal in members of Congress to withhold their attendance when the public safety requires it, but that they are to be judged and punished by the Laws of the State they represent, and no other power.

These sentiments however expressed, I avow, and as to the language, I know no oblication I am under to use a courtly Stile. My expressions are usualy what first occur and in this instance were not intended to offend.

I shall only add that I mean not by any thing I have here said to submit myself to any Jurisdiction, but that of the State I represent. Such submission being in my Idea injurious to the majesty thereof nor do I mean to forego any of my own rights as a citizen entitled to the benefit of the Laws, and Constitution of the free State of North Carolina.

THOMAS BURKE.

The above writing I compared with Mr. Burke's defence and it contains the express words spoken or read by him in Congress. Witness by my hand.

CORN. HARNETT.
York April 13th 1778.

GOV. J. RUTLEDGE TO GOV. CASWELL.

[From Executive Letter Book.]

Charles Town April 13th 1778.

Dear Sir:

The bearer David Oliphant Esq., a very worthy Gentleman of my particular acquaintance, having occasion to take another journey to North Carolina, as he had not the pleasure of delivering in person the letter, for you from me, which he carried last year, I take the liberty by this, to introduce him to you flattering myself he will receive your countenance, in any business which he may have to transact in your State. I am with great respect and esteem dear sir, your Mo. huml. servant,

J. RUTLEDGE.

SAVANUCA TO GOV. CASWELL.

[From Executive Letter Book.]

April 14th 1778.

Indian talk addressed to Gov. Caswell: My Brother you are the man that hears my talk, tho' I think I am speaking to the great beloved man of North Carolina through you. I understand he is head of that State. I was at a treaty with him, I looked on it so, tho it was some of his warriers, that touched flesh with me, but through him I thought I had him by the hand. That treaty seems to me but yesterday, I have been at Long Island, I wonder I did not see one of the warriors, from North Carolina, and one from Virginia, to strengthen the friendship. I remember at the treaty, we were never to forget what was said on both sides, and what was said came from our hearts, how can your people be so forgetful, while it seems but yesterday to me and my people, what ever I hear I do not mind, as yet, I am determined, to keep strong my promise, I have sent my father Capt. Robertson, whom you gave me to assist in hard matters, he will bring me the truth. I promised you by your warriors, as I was head of my nation, if my people were bad, I would alter them. I have cleansed their hearts, this you hear from me. I hope to hear from you, better news than is now going. My people have been lying very still. They had good ears at the treaty, I wonder at your people of Wataugah, that they should be so forgetful; they are marking trees all over my country, and near to the place I live, and are killing my stock near my beloved towns, now I give you this from my heart, I promised you my people should do no harm. You told me you could do anything with your people. I hope you will put a stop to your people cutting our trees, and let the mark grow out. We were promised I looked on it from your mouth, that your people should not cross the boundary made by your warriors, and by me and my people, except on business, and then only in the path, and if they should do it you would punish them. If there was any such orders given surely the people would not go on at the rate they do, I hold fast my end of the chain of friendship, and keep it bright, there is a small speck of rust on that chain, I hope you will help me to rub it off. I shall give

you but a short talk, as I will say nothing but truth, in a long talk there is apt to be lies. I send you a white string of beads, in confirmation of what I have said. I have mentioned having talks with you before, and promises from your mouth. I looked on it so, because I got it from your warriors. There is some bad people at Wataugah, I hope you will move them lower down the country, or they will keep bad talk always going. This from your younger Brother Savanuca or the Raven of Chola.

his + mark.

N. B. This talk was given at the house of Capt. James Robertson by the Raven, on his return from Long Island.

W. SAVAGE TO GOV. CASWELL.

[From Executive Letter Book.]

KINGSTON, 14th April 1778.

SIR:

I have made particular enquiry agreeable to your desire, as to the number of guns here, and find that there are but six four pounders belonging to the public. I am respectfully your Excellency's mo. ob. huml. servt,

W. SAVAGE.

GOV. CASWELL TO LIEUT. SAML. CASWELL COMMANDING THE GUARD AT KINGSTON.

[From Executive Letter Book.]

SIR:

You are hereby required to deliver from the public stores in your charge to Col. Long Deputy Quarter Master General or his order or to the wagoners he may send for the purpose of receiving the same, so much lead as the wagons sent, will be able to carry, and take two receipts of the same Tenor and date for the same. If you can not weigh the lead, observe to describe the Blocks, pigs or Bars, in such a manner as to ascertain as near as may be the quantity, and let Col. Long know that it is not weighed,

recommending at the same time to him to have it weighed and take an account of the same before he sends it forward from Halifax.

This shall be your warrant. Given at New Bern the 16th April 1778.

R. CASWELL.

GOV. CASWELL TO MICHAEL PAYNE ESQ. NAVAL OFFICER PORT ROANOKE.

[From Executive Letter Book.]

NEWBERN 17th April 1778.

SIR:

Enclosed herewith you will receive a proclamation, prohibiting the exportation of Provisions, and I do in behalf of the State require in the most earnest manner that you pay proper attention thereto by using every means in my power to carry the same into execution.

I am Sir,

Your most obedient Servant,

R. CASWELL.

GOV. CASWELL TO JOHN ASHE.

[From Executive Letter Book.]

Gov. Caswell to John Ashe, Jun Esq. Naval officer of Port Brunswick, and in his absence John Dunbibin Esq.

NEWBERN 17th April 1778.

SIR:

Enclosed herewith you will receive a proclamation prohibiting the exportation of Provisions, and I do in behalf of the State, require in the most earnest manner that you pay proper attention thereto, by using every means in your power to carry the same into execution.

I am Sir,

Your mo. ob. Servt,

R. CASWELL.

GOV. CASWELL TO JOS. PURNELL ESQ. A. C. G.

[From Executive Letter Book.]

New Bern 18th April 1778.

Sir:

Your letters of 30th and 8th current I have received, and as Col. Williams was daily expected here to attend the Assembly, I delayed answering them until his arrival which happened since last post. Col. Williams says he did not receive my letter sent whilst you was here, so that your credulity was imposed on by the person by whom it was sent. Consequently no more wagons were purchased by Col. Williams, who says he purchased the 12 directed by Congress, but that the team of one of them was so weak as induced him to return the wagon, since which he has not had an opportunity of buying another. I showed him the paragraph in your letter from the Board of War, and make no doubt it will be an inducement to him to give the necessary information.

I am Sir,

Your mo. ob. Servt,

R. CASWELL.

GOV. CASWELL TO THOS. CRAIKE C. S.

[From Executive Letter Book.]

New Bern 18th April 1778.

Sir:

Your favor of the 11th Inst. I received. The Goods useful for the Army, I would advise you to purchase, if to be had upon such Terms as you think will answer. The other matters contained in your letter shall be laid before the General Assembly, indeed that respecting the proclamation has been already before them, who have advised the issuing the enclosed. An original was this day sent under seal to the Naval officer at Wilmington. A Copy enclosed Mr. Brice and lest they both miscarry you have a Copy which you are requested to make proper use of. As I expect you soon here,

shall say no more than I think the worthy members of the present Assembly seem disposed to do every thing necessary for the army, 'tis I believe a favorable time to settle public accounts.

I am with great esteem,

Your mo. ob. servt,

R. CASWELL.

GOV. CASWELL TO FRANCIS BRICE.

[From Executive Letter Book.]

NewBern 18th April 1778.

Sir:

Your favor of the 11th Inst. I rec'd, the subject matter of which with similar accounts I laid before the Assembly, who thereupon recommended the issuing a proclamation, to the effect enclosed. This day an original under seal was sent to your Naval officer, I believe by Mr. Grainger, but lest that should miscarry or not arrive in time, you'll please deliver the enclosed at his office, and let the Genl. know who transacts that business, that I most earnestly recommend the due observance of the same. Mr. Green the Commissary of purchases here has orders to ship the pork by you purchased for the public, pray assist all in your power.

I am your ob. servt,

R. CASWELL.

THOS. BLOODWORTH TO GOV. CASWELL.

[From Executive Letter Book.]

Wilmington April 20th 1778.

Sir:

Enclosed I send your Excellency the Deposition of Capt. John Adams and others, brought to me by Major Dunbibin, who took them out of a Prize (taken by the Enemy & bound to St. Augustine) that was drove ashore about seven miles from this Town, there being no Gaol in that County I have ordered them on board the Brig of War (Washington) till your Excellency will please to communicate some further instructions respecting them, whether

being forced into the British service, they may be considered and treated as Prisoners of War, agreeable to Resolve of Congress, or otherwise may be permitted to enter on Board the Washington as subjects to the United States (of which they affect a great desire) on proviso they take the State oath agreeable to Law. In the cases above mentioned your Excellency will be able to judge by reading the depositions, and shall wait your instructions.

I am with due respect,

Your Excellency's most obedient servant,

THOS. BLOODWORTH.

STATE OF NORTH CAROLINA,
NEW HANOVER COUNTY.

Before me Thomas Bloodworth one of the Justices for the County aforesaid, personally appeared John Adams, who made oath, on the Holy Evangelists of Almighty God, and sayeth:

That he was at St. Eustatia in February 1777, and there took a Passage in the Sloop called Hewet of Cedar, commanded by Richard Minon, which was going from that place to Charles Town So. Carolina, and arrived in that place in a passage of twenty-eight days, and left the vessel in a few days, and entered as mate on board a schooner commanded by Capt. Wyatt belonging to Messrs Gilliam and Mays of that place bound on a voyage to St. Eustatia and fell in with St. Thomas's and was taken by a Tortola privateer sloop called the Rose, commanded by John Adams of Liverpool and was carried into Tartola, and remained there four weeks, and being much in distress, was obliged to commence mate of a briga bound for Liverpool, commanded by John Cunning of that place, after my arrival there had several offers of employ, did not take up with any of them, but went passage on board of a ship bound for Tortola, James Lee, Master, after my arrival quitted said vessel and shifted mate of a sloop belonging to St. Croix, when I arrived there was offered the command of a schooner belonging to Nathaniel Cruger of that place, loaded with salt and bound for Edenton, in North Carolina, which offer I accepted of and sailed as master of the said schooner called the Favorite, on the 28th of December last and was taken by the ship Galatia commanded by Thomas Jordan on the 8th January and was detained prisoner on board the said vessel one month and

a half and then sent to Augustine and from the misconduct of the master of the Prize going to Augustine the Hinchinbrook took charge of her, at which time I was robbed of my clothes &c. I was put on shore a few days after my arrival at Augustine, I took lodgings at a Tavern, and not having money enough to satisfy my Landlord, was then obliged to take up with the offer of Capt. Osborne who commands the Ranger, to ship with him as a Prize master on proviso he would pay what I was then indebted. That he sailed with said Osborne from Augustine on a cruize the 16th March last and the third day after sailing we took a schooner belonging to Georgia loaded with Rice and Indigo, bound for St. Croix, commanded by Capt. Forster, after which we proceeded to Ocracock, and on the passage came across a small sloop commanded by Capt. Savory, with some salt on board she being of little value stript her of the sails, and scuttled her. Took the pilot on board at Ocracock who promised to conduct us in and out, we then went over the bar, and dropt Anchor between a ship and a Briga lying in that harbor. We manned the pilot Boat and owe order, and went on board the ship, and took possession of her and hoisted out 19 Hhds of Tobacco, and left her, and then went on board the Briga and took possession of her, and cargo, and carried them out of the Harbor. At that time there was coming in a M——— Sloop loaded with salt, which the Sloop boarded and took, which two vessels was sent to Augustine. We the next day came to Beaufort and took a schooner loaded with Tobacco, &c., which this deponent had the command of and was proceeding to Augustine with her, and the wind blowing hard all day, on Saturday the 11th of this instant, and great part of the night, I being below about 12 o'clock was called up by one of the men and was told I was on shore, and verily believe from the misconduct of the sailors, that the vessel got on shore and further sayeth not.

JOHN ADAMS.

Taken and sworn to this 18th April 1778, before me.

THOS. BLOODWORTH.

STATE OF NORTH CAROLINA }
NEW HANOVER COUNTY }

Before me Thos. Bloodworth one of the Justices for the County aforesaid personally appeared John Joseph (a Portuguese) who made an oath on the Holy Evangelists of Almighty God, and say-

eth that he sailed from Curacoa, on a voyage to Virginia in the schooner St. Anna commanded by Capt. Dewit, and after arrival at Virginia took a load of Flour and Bread, and on her return back to Curacoa was taken by the ship Galatia commanded by Thos. Jordan, and remained on board of her as a prisoner for two months, and was put on shore in St. Augustine, and was taken against my will to go on board the sloop Ranger commanded by George Osborne who was bound on a cruize, and further sayeth not.

his
JOHN + JOSEPH.
mark

Taken and sworn to this 18th April 1778, before me.

THOS. BLOODWORTH.

STATE OF NORTH CAROLINA,
NEW HANOVER COUNTY.

Before me Thomas Bloodworth one of the Justices for the County aforesaid personally appeared Peter Gevoe (a frenchman) who made oath on the Holy Evangelists of Almighty God and sayeth that he was bound on a voyage from St. Croix to North Carolina in a schooner commanded by Capt Short loaded with Rum and Molasses and was taken by the Daphne a man of War commanded by Capt. Shineny and was put on shore at light house in St. Augustine and confined as a prisoner; he this deponent petitioned the Governor of St. Augustine to be permitted to go to old France but was refused, and was told by the Governor he must go on board of some Frigate or Privateer or would not be enlarged, and further sayeth he wanted much to be permitted to go in a Flag of Truce to Charles Town, but would not be permitted, and was carried on board the sloop Ranger, commanded by Capt. Osborne and further sayeth not.

his
PETER + GEVOE.
mark

Taken and sworn to this 18th April 1778 before me.

THOS. BLOODWORTH.

STATE OF NORTH CAROLINA,
NEW HANOVER COUNTY.

Before me Thomas Bloodworth one of the Justices of the County aforesaid personally appeared Michael Kingsborough, who made oath on the Holy Evangelists of Almighty God and sayeth that he sailed from Salem in New England on the 22d of December last on a voyage to Charles Town So. Carolina, and was taken about five leagues from that bar by the ship George commanded by George Osborne from St. Augustine, and was taken out of the Prize with the Captain and sundry other seamen on board the George and carried into St. Augustine, after which Capt. Osborne told the Deponent that he must either go on board the ship George for London, or ship on board the sloop Ranger, which he was going to command or be put in Gaol and there remain as a prisoner of war, and rather than be confined, shipped with Capt. Osborne, and further sayeth not.

MICHAEL KINGSBOROUGH.

Taken & sworn to this 18th April 1778, before me.

THOS. BLOODWORTH.

JAMES IREDELL TO GOV. CASWELL.

[From Executive Letter Book.]

NORTHAMPTON, 20th April, 1778.

SIR:

I ask your Excellency's pardon for so long delaying to write to you, on the subject of the proposal you made concerning the land on Trent which is in dispute between us. The reason partly arose from an uncertainty of the determination we should come to with respect to the sale of the land, in general, and from none of us knowing the nature and situation of the whole tract so exactly as to be able to ascertain the value of that part, it was proposed we should relinquish. We have now determined to offer the land for sale, and I send an advertisement to the Printer for that purpose by the same conveyance which carried this. The sale is intended to be some time during the sitting of the Superior Court at New-

Bern. In the mean time, I beg leave to assure your Excellency we are very well disposed to treat about an accommodation of what you and Col. W. Heritage and we have in dispute and though we are positively convinced of the validity of our title, will readily sacrifice something for the sake of peace, and to avoid any disagreeable differences. The particulars we are not at present fully enough informed of circumstances to enter into.

I am with great respect Sir, your Excellency's most humble and most obedient servant.

JAMES IREDELL.

P. S.

The sale is to be without any prejudice to the agreement with Mr. Franks, which we mean to fulfil.

J. I.

GOV. CASWELL TO THE GEN. ASSEMBLY.

[From Executive Letter Book.]

To the Honorable the General Assembly:

GENTLEMEN:

I received your Message of this day acquainting me that the two Houses of the General Assembly had on Saturday last, elected a Governor and Council of State, for the ensuing year, and desiring that I would qualify as Governor and proceed in the execution of that important office.

In answer to which I am to inform you that I have since the commencement of the present disputes with Great Brittain, considered it a duty incumbent on every individual, not only to stand forth in the cause of his country in defence of her Freedom and Liberty, but also to perform any Trust she may call upon him to execute. Under these considerations and that of your very Honorable and unanimous appointment of me, for the third time to be Governor of this State, being such a mark of your approbation of my past conduct, that however diffident I may be of my own abilities, I should be wanting in duty to my country if I did not except the same.

Give me leave to assure your Honorable Body that such powers as I am invested with by the Constitution and Laws of this State, shall be executed according to the best of my abilities and understanding.

I have now qualified, and shall enter upon the important duties of my office with the greatest alacrity.

R. CASWELL.

New Bern 20 April 1778

GOV. CASWELL TO JOSEPH HEWES ESQ.

[From Executive Letter Book.]

New Bern 21st April 1778.

Dear Sir:

Your favor of the 14th Inst. I received this day with the Lottery Tickets sent by your House, and by return of Mr. Gardner shall send a proper certificate. If I understand the Resolution of Congress I am to sign four certificates, one of which to be delivered to the person from whom I receive the Tickets, one other I am to keep, and the other two are to be, by me, transmitted to the Managers of the Lottery and Board of War, with that to the latter the Tickets are to be sent, this being the case I imagine your House, will have occasion for no more than one, but should you wish to have Copies certified by me, they shall be sent, whenever your House shall signify the same.

Enclosed you have three Commissions for Vessels of War, with an equal number of Bonds and instructions, the first and last signed by Mr. Hancock. I have received none from the Gentleman who now presides in Congress, but soon expect them. These I now send you are half the number I had, you'll please to direct that the Bonds when executed, be transmitted to me.

Your attendance in the Assembly has been much wished for by the members, and I think would have been very agreeable to all of them. I flattered myself with having the pleasure of seeing you in the exercise of those useful talents you are master of in behalf of your country, which at this time she so much needs and I am sorry to say, I have so little hopes of her receiving from the hands of others who, a very few excepted, seem not to have been designed by nature for Legislators—however of this enough—the business you are engaged in may be of more consequence to the States in general, and must be attended to, and is I fear, by you too much for your constitution.

Believe me Sir it would have afforded me great pleasure to have seen you here, but as that could not well happen I shall content myself in the expectation of having the happiness of hearing from you now and then, when you have a leisure hour. Pray hurry down the Caswell. Great good is expected from her protecting the Trade.

I am with great esteem and respect Dear Sir, your most obedient servant.

R. CASWELL.

GOV. CASWELL TO MESSRS. HEWES & SMITH.

[From Executive Letter Book.]

NEWBERN 21st April 1778.

GENTLEMEN:

I was favored with your letter of the 9th Inst. with the Lottery Tickets therein mentioned, for which I send you a certificate acknowledging the receipt of them. In your second letter, of the same date, you request me to send you three receipts, supposing, I conjecture that you thereto transmit the certificates directed by Congress to the Treasury Board of Managers. This I apprehend to be my duty, and shall endeavour to comply with it immediately after the last of this month. But if you are desirous of having certified copies of the certificate, let me know and any number you want shall be forwarded to you.

I am gentlemen,
Your mo. ob. servt.
R. CASWELL.

GOV. CASWELL TO MR. FRANCIS BRICE.

[From Executive Letter Book.]

NEW BERN 23rd April 1778.

SIR:

No Lottery Tickets are to be disposed of after the last of this month, the Lottery being ordered by Congress to commence drawing the first of May. The Tickets unsold I am directed to send to the managers or Board of Treasury.

I therefore request you will immediately send such of the Tickets as yet remain on your hands of those I had the honor to commit to your disposal. The expense of an express shall be paid if no direct opportunity by a safe hand.

I am Sir, your mo. ob. servt.

R. CASWELL.

GOV. CASWELL TO PRESIDENT HENRY LAURENS.

[From Executive Letter Book.

North Carolina, New Bern 26th April 1778.

Sir,

I had the honor of receiving your favor by Mr. Penn and that 31st ulto. with their enclosures. The General Assembly is now sitting here, every matter recommended by Congress has been laid before them, they have not fully determined on the mode of filling our Battalion, but a very few days will bring that matter about. They last evening Balloted for Delegates to attend in Congress for one year, when I am told the Honorables John Penn, Cornelius Harnett and Abner Nash Esqrs. were elected.

I have the honor to enclose a message from the General Assembly to me informing me that they have acceded to the articles of Confederation, proposed to the United States by Congress, to which I beg leave to refer, and am with every sentiment of regard and esteem Sir, your most obedient and very humble servant,

R. CASWELL.

Hon. Henry Laurens, President of Congress.

DR. THOS. BURKE TO GOV. CASWELL.

[From Executive Letter Book.]

York April 25th 1778.

Dear Sir:

Mr. Harnett will inform you of every thing which I can write about at present, I shall therefore refer you to him, and spare you the trouble of reading.

The enclosed paper will show you the present temper of our enemies and the disposition of Congress. I will make on it no other comment than to observe that nothing is necessary to insure our success but vigorous efforts. This opinion which I have so often declared, is every day more and more justified, and I hope will be finally sanctioned by the happy event of our struggles.

I hope before this the Assembly have made a new choice of Delegates, and supplied my place with a more able citizen. I shall set off on the fourth of May, and leave what public papers are in my hands directed for the succeeding delegates. Altho' I shall remain here until that day yet I do not find myself entirely clear on the propriety of voting in Congress after the 28th inst. I am told by Mr. Harnett on that day in last year, the election of delegates was made, and on the preceding day in this year, trust in that case the term of my service ends. The Commission under your hand being dated the 4th May, and having in some former letters promised to remain here until then to execute any command of the State, I will keep my promise tho' I assure you Sir, every hour is, and will be a very heavy one to me, until I can return to the station of a private citizen, secure under the protection of the Laws and Constitution of my Country. Every day Sir, convinces me more and more, that such a station is the only happy one, and nothing but my deference to the opinion of my Country, and my wishes to serve the cause of freedom should ever have drawn me from it. Happy is it for those Countries who are at a distance from the war, they are secured from the depredations of the enemy, and their civil rights from the most violent infractions. The rights of private citizens, and even of our sovereign communities are at present so little regarded in Congress that any rumor will determine a majority to violate both and it is hardly safe to oppose it, every argument against the unlimited power of Congress to judge of necessity, and under that idea to interpose with Military force is heard with great reluctance, hardly with patience, and the internal police and sovereignty of States, are treated as chimerical phantoms. One instance I will give you. Genl Smallwood was ordered by Congress to apprehend two men, in the Delaware State, under a suggestion that they were inimical, and that the State was unable to exercise any act of Government, tho' the Assembly was then sitting, he did

apprehend them. They applied for a *habeas corpus*. The Chief Justice granted it, the officer refused to obey and applied to Congress for advice. The Congress approved the officer's conduct, and was with difficulty prevented from ordering him to proceed in direct opposition to the *habeas corpus*, and they forbore this only under an idea that, approbation of his former conduct would determine him to proceed. I need not tell you I opposed these things. You know my pertinacious attachment to civil rights, and my immovable determination to oppose every thing that may give color to an arbitrary exercise of power under an idea of right. I shall probably give you another instance before long in which our State and I myself am concerned. I have upon a late occasion insisted so far on the sovereignty of the State, and my being amenable to no other jurisdiction, that I have given very great offence to Congress, an accident involved me in the dispute, and so far as it regarded me personally I should have waived all opposition, but I delivered occasionally in debate my political opinions of the power of Congress and the sovereign and exclusive authority of the States, over these Delegates. These opinions were not relished and I was required to make some apology. I very frequently apologized for the terms and manner in which they were conveyed, tho' I could not perceive any thing offensive in them, but I persisted in the opinions, and declared I could not give them up without an outrage to my honor in telling a falsehood, and what I deemed a treason to the State, I represented in giving up her sovereignty, nothing however would do but retracting the opinions, and it was in vain to require this of a man who would die in support of them. I shall trouble you no more at present on this subject, at some future time will give it to you, with all its circumstances. My Country will I suppose one day judge of it, but I shall not desire it during the present struggle, I shall be very sorry that any thing would interrupt the public harmony which is so necessary to our success, a time of peace and tranquility will better suit the investigation of Civil Rights and relations. I wish you Sir, all imaginable happiness, and, with the greatest sincerity your mo. ob. servt,

THOS. BURKE.

JOS. PURNELL TO GOV. CASWELL.

[From Executive Letter Book.]

EDENTON, 28th April 1778.

SIR:

I received your Excellency's favor of the 18th Inst. and am very sorry to find that your orders to Col. Williams miscarried, as I have not the least prospect of getting Teams from any other quarter, to forward the public stores now at this place, which are much wanted to the Northward. As the Assembly are now sitting I presume the members can inform you whether Teams are to be procured, and if they are I beg leave to request of your Excellency to order the number before mentioned or as many of them as can be had as early as possible to this place. It gives me pain to be troublesome to your Excellency, but as I know not how to avoid it without neglecting my duty, I hope you will excuse me. Forage is so very scarce hereabouts that it will be necessary for the Teams to bring as much Corn with them as will carry them from here over James River. I shall be very glad to be informed when I may expect the Teams.

I am with the greatest respect,

Your Excellency's huml. Servt,

JOS. PURNELL, A. C. G.

HON. HENRY LAURENS, PRESIDENT OF CONGRESS FROM DR. THOS. BURKE.

[From Executive Letter Book.]

YORK, April 28th 1778.

DEAR SIR,

The instrument authenticating my last Election, as a Delegate from the State of North Carolina, is dated May the fourth, 1777. Both my Colleagues have informed me that they believed that the Election was made on April 28th preceding. The Constitution of the State requires the election of delegates to be annual, and it is a fundamental principle, that there is a fixed rule of Conduct for all the powers of the State, which can not be dispensed with or

deviated from, unless the Collective Body of the people give special authority for that purpose. All these circumstances induce me to believe, that my power of representing the State is at an end. The Instrument referred to is on the journals of Congress, and they can determine whether my attendance can be longer commanded.

I request you, Sir, to lay the matter before them, for their opinion, that my absenting myself may not be deemed a contempt or breach of orders. I should have submitted my difficulty at a more early day, in my place, but that I was unwilling to interrupt the attention of Congress, which was employed on objects far more important.

The same cause kept me silent on another matter, which I shall now beg leave to mention in this, which is I suppose is the only way remaining, for I hope my County has yielded to my earnest request and excused me from the Delegation.

I feel myself under a sense of very respectful obligation to you and most of the gentlemen of Congress, for the solicitude which appeared for me on a late occasion, and am persuaded that nothing but my being so unhappy in my expressions, as not clearly to convey my ideas could have occasioned a mistake which is on your journals. I am there represented as attempting to justify withdrawing from Congress, without permission in an iustance, which interrupted very important business. Such justification, Sir, is what I never did attempt, nor do I think that or any other breach of order justifiable.

My attempt was only extended to excuse my departure under particular circumstances by alleging that the same thing had been usually done by other members without reprehension and that the time and occasion were not improper for using a liberty which had been denied to no other member. I am also charged with sending an indecent message to the House which I protest was never my intention.

The matter respecting the member from New York I never conceived myself called upon to answer. But it is not of consequence enough to trouble you with. I do not mean now, Sir, to withdraw the matter from the jurisdiction of my constituents. It is in the train I wish it to be. To them I hope I can show that the House entirely mistook my meaning and when it can be done with-

out injury to the common cause, I shall solicit their attention to the subject, but not before, if I can avoid it. My sole purpose at present is to prevent gentlemen whom I greatly esteem and respect from retaining impressions of me which I am unconscious of deserving. This I hope to effect by declaring that I hold no citizen in any rank or station, justifiable in doing any act, on any pretence which may tend to the public prejudice, or in forbearing to do any act which is requisite for public service. That I hold no man justifiable for using language or manner not sufficiently respectful to the Assembly or Society of which he is a member. That attendance in Congress at all times, when required by the president either in or out of the House, is in my opinion what every member is absolutely bound to, and the House itself is judge of the respect with which the whole or any of its members is to be treated in debate, and I only meant to insist on the right which every freeman must necessarily have of judging for himself on the reasonableness or unreasonableness of every exercise of power and on the peculiar right of the States to apply any punishments which should go beyond measure. These I avowed occasionally in debate as general political opinions, not in justification of anything that had happened, but in answer to some things thrown out by other gentlemen which seemed to me to hold up opinions very different from them for the adoption of the House. I hope they are not dangerous and that persisting in them is not disrespectful to the honorable members.

If the language aud manner in which I delivered my sentiments was not sufficiently respectful in the opinion of the House, I beg they will attribute it to inadvertence or imperfection of temper not to design. I beg they will believe that no man is more unwilling to give offence, no man more sincerely laments it when it happens through the warmth or earnestness of natural disposition.

I have the honor to be, with great respect and esteem, your very Obed't Serv't.

THOS. BURKE.

DR. THOMAS BURKE FROM HON. HENRY LAURENS.

[From Executive Letter Book.]

York Town 30th April 1778.

Sir:

Within this inclosure you will receive the draught of a letter which you sent last night for my perusal.

If I were called upon to give evidence in the case, I should deliver my sentiment without bias or partiality. I might vary in some particulars from your account, nevertheless upon a fair comparison, I think your narrative would not appear to be uncandid, especially if any consideration should be had to its coming from the party most nearly affected.

I have the honor to be with great regard Sir, your obedient and most humble Servant.

HENRY LAURENS.

The honorable THOMAS BURKE ESQ.

GOV. CASWELL TO WM. TISDALE.

[From Executive Letter Book.]

State of North Carolina,

To William Tinsdale Esquire.

Greeting:

Whereas the General Assembly hath by joint Ballot of both Houses elected you judge of the Court of Admiralty of the Port of Beaufort in this State, we do therefore by these presents constitute, Commissionate and appoint you the said William Tisdale Judge of the said Court of Admiralty of the Port of Beaufort. To have, hold and enjoy the said office of Judge of the Court of Admiralty of the port aforesaid, during your good behaviour therein, with all and singular the powers and authorities thereof and the privileges and emoluments thereto belonging as fully and amply as any Judge of the Court of Admiralty may hold, exercise and enjoy in this State, and in all matters and things incident to the said office to act and do so as to duty thereof doth

or may of Right appertain and according to the Laws, ordinances and Resolves relating thereto. Witness Richard Caswell Esq, Governor, Captain General and Commander in Chief of the said State under his hand and seal at arms at NewBern the 30th day of April, Anno Domini 1777, and in the first year of our Independence.

R. CASWELL.

GOV. CASWELL TO MICHÆL HILLEGAS ESQ, C. TREASURER.

[From Executive letter book.)

North Carolina, NewBern 1st May 1778.

Sir:

In pursuance of the enclosed Resolve of the General Assembly of this State, I have drawn on you in favor of Capt. Reading Blount for five hundred thousand dollars which I take the liberty of requesting in the most earnest manner you will be pleased to pay him and give him all the despatch in your power. You may think it necessary to inform the Honorable the Treasury Board of this large Draft, previous to paying the same, in which case I apprehend it will also be necessary to lay before the Board the Resolve, and also the copy of an Act of Assembly of this State likewise enclosed. I am convinced the Troops to complete the Battalions from this State cannot march until the arrival of the money, therefore the sooner Capt. Blount returns the greater will be the prospect of our Troops arriving at Headquarters in time to be of service in the common cause.

I have also drawn on you this day in favor of Nicholas Long Esq. D. Q. G. of this State, for two sums amounting to twelve thousand one hundred and fifty-eight pounds five shillings and six pence, for the purposes in the draft expressed which I flatter myself will be duly answered.

I am, Sir,

Your mo. ob. servt,

R. CASWELL.

Gov. N. C.

GOV. CASWELL TO MANAGER UNITED STATES LOTTERY.

[From Executive Letter Book.]

North Carolina 1st May 1778.

Gentlemen:

In pursuance of a Resolve of the Honorable the Treasury Board of the 8th January last, I send you a Certificate acknowledging receipt of 312 Lottery Tickets from Messrs. Hewes and Smith and also another Certificate for 124, which remained of 900 sent me to dispose, (by George Webb Esq. of Virginia,) I had delivered 180 Tickets part of the above 900, No. 37,531 to 37,710 to a Gentleman to be disposed of. I wrote to him to send me such as were unsold, but have not received his answer. If any of them remain unsold, they shall be sent to the Treasury Board. The Tickets for which I transmit you the Certificates are sent to the Board by the person who carries them.

I am Gentlemen,

Your most ob. Servt,
R. CASWELL.
Gov. No. Ca.

GOV. CASWELL TO MICHAEL HILLEGAS CONTL. CONGRESS.

[From Executive Letter Book.]

No. Carolina 1st May 1778.

Sir:

This serves to advise you of my having drawn on you for two thousand dollars on account of Tanned Leather, Deerskins and Shoes, purchased in pursuance of a Resolution of Congress of the 25th Nov. last, which I have no doubt will be duly honored.

I am Sir,

Your most ob. servt,
R. CASWELL.
Gov. No. Ca.

GOV. CASWELL TO WILLIAM GOVETT ESQ. ASS. AUDR. GENL.

[From Executive Letter Book.]

No. Carolina 1st May 1778.

Sir:

In pursuance of a Resolution of Honorable the Treasurery Board of the 8th of January last, I have the Honor to transmit to that Board 1,302 Lottery Tickets received of Messrs. Hewes and Smith, and also 124 of those sent to me to be disposed of. I had delivered 180 Tickets. No. 37,531 to 32,710 to a gentleman to put off, who being a considerable distance from here, and altho' I have written to him requesting a return of such as were unsold, I have not heard from him. When I do, if any tickets are unsold they shall be transmitted to the Board. The Certificates of those sent are enclosed with the Tickets under seal. I am, Sir,

Your mo. ob. Servt.

R. CASWELL,
Gov. No. Ca.

GOV. CASWELL TO HON HENRY LAURENS, PREST. CONGRESS.

[From Executive Letter Book.]

North Carolina NewBern 2d May 1778.

Sir:

I had the honor of addressing you the 26th ulto. and enclosing the Resolution of our General Assembly to accede to the articles of Confederation. With this you will please receive an act for raising men to complete the Continental Battallions, belong to this State; An act more effectually to punish the persons concerned in any of the several species of counterfeiting, in this State; An act to prohibit the exportation of Beef, Pork and Indian corn; A Resolve of the General Assembly empowering me to draw on the Continental Treasury for 500,000 dollars, &c., and a Resolve respecting Capt. De Cottineau. The three acts are transmitted in consequence of Resolve of a Congress of the 16th March last. The Resolve empowering me to draw on the Continental Treasury, I have complied with by giving Capt. Reading Blount a

draft for 500,000 dollars. He will have the Honor of delivering this and give me leave, Sir, to request you will be pleased to recommend to Congress the directing every despatch to be given Capt. Blount as I fear little will be done towards marching the men until his return with the money. You will observe the last Resolve respecting Capt. Cottineau is transmitted in consequence of the request of the General Assembly. Capt. Blount will have the Honor of Delivering his letter also. Such other acts as are passed by the Generol Assembly in consequence of recommendations of Congress I shall do myself the Honor to transmit with my next, being unwilling to detain the Bearer longer, as his business is of the utmost consequence to the States. I shall only add that I recommend the same to your particular attention, and that I am with the highest regard and esteem Sir,

Your mo. obdt. and very huml. Servt.

R. CASWELL.

R. CASWELL TO THE N. C. DELEGATES TO THE U. S. CONGRESS.

[From Executive Letter Book.]

State of North Carolina

To John Penn, Cornelius Harnett & John Williams Esqrs., Greeting:

WHEREAS, The General Assembly have elected you Delegates to attend the Congress of the United States,

These are therefore to commissionate, authorize and empower you the said John Penn, Cornelius Harnett and John Williams to attend the said Congress of the United States of America in behalf of the State for one year from and after the—day of April last, unless sooner recalled by the General Assembly, and you are hereby invested with such powers as will make any act done by you on consent given in the said Congress, in behalf of this State, obligatory upon every inhabitant thereof.

Witness, Richard Caswell, Esq., Governor General and Commander in Chief of the said State, under his hand and seal at

arms at New Bern the 2d day of May Anno Domini 1778 and in the second year of the Independence of this State.

R. CASWELL.

By his Excellency's command.

J. GLASGOW,
Secretary.

GOV. CASWELL TO JOSEPH PURNELL, ESQ., A. C. G. EDENTON.

[From Executive Letter Book.]

NEW BERN 3d May 1778.

SIR:

Your favor of the 28th ulto. came to hand last evening. I am really concerned to find you have no prospect of getting teams from any other quarter than the back country, where I find by the gentleman who came from the counties to the westward to attend the Assembly, very few are to be had, and those at a most extravagant rate. The Assembly adjourned early yesterday, and the members in general were gone before your letter came to my hands, so that I had it not in my power to consult any of the gentlemen who could give me information respecting the purchase of wagons and teams. I will endeavor to get a person to go out to purchase, and inform you his success so soon as it is in my power. I am Sir, your mo. ob. servt,

R. CASWELL.

GOV. CASWELL TO MICHAEL HILLEGAS ESQ. CONTL. TREAS'Y PENNSYLVANIA.

[From Executive Letter Book.]

NO. CAROLINA, NEWBERN, 5th May, 1778.

SIR:

This is to advise you of a draft I have this day given on you in favor Messrs. Richard and James Ellis for two thousand eight hundred and seventy-six pounds, five shillings currency, dollars 8 shillings each, on account of clothing purchased for the army of the United States, which I hope will be duly answered.

I am Sir, your mo. ob. servt.

R. CASWELL.

GOV. CASWELL TO MICHAEL HILLEGAS ESQ., C. TREAS'R.

[From Executive Letter Book.]

North Carolina, 4th May 1778.

Sir:

I have this day drawn on you, eight sets of Bills for one thousand dollars each (No. 1) to (8) inclusive, in favor of Col. John Williams for the purpose of purchasing wagons and teams for the use of the United States.

A quantity of Clothing for the use of the States is now at Edenton in this State, and cannot be sent on until wagons are purchased. Col. Williams has purchased 12 for the use of the State, eleven of which have been sent on by Mr. Purnell Assist Commissary General, who has earnestly solicited my furnishing him with the number now directed to be purchased. These Bills I flatter myself will be paid so soon as presented.

Iam Sir, your most obedt servt.

R. CASWELL.

GOV. CASWELL TO COL. JOHN WILLIAMS.

[From Executive Letter Book.]

New Bern 4th May 1778.

Sir:

Herewith you will receive eight sets of bills on the Continental Treasury for one thousand dollars cash payable to your order with which you are requested to purchase eight wagons and teams on the best terms they can be had, and send them down with the one yet remaining of those you bought under the direction of the Board of War, with drivers and a wagon master to Edenton, where Mr. Joseph Purnell Assistant Commissary General will receive and load them, or in his absence Messrs Hewes and Smith, will receive them and do what may be necessary. The wagons must carry corn sufficient, for the teams to last to Edenton, and from thence till they cross James River on their way to the Northward. I must request you use every despatch in your power in

this business, and let me know the progress you make, and furnish me with account of the prices you give for the wagons and teams you purchase.

I wish you success, and am sir your mo. ob. servt.

R. CASWELL.

[From Executive Letter Book.]

State of North Carolina:

By his Excellency Richard Caswell Esquire, Governor, Captain General and Commander in Chief of the said State.

A Proclamation.

Whereas by an Act of Assembly passed in the late Session entitled an "act to amend an act entitled an act for establishing officers for receiving Entries of Claims for lands in the several counties within this State, and for ascertaining the method of obtaining Titles to the same and for other purposes therein mentioned." Amongst other things it is enacted "That for the future no person shall enter or survey any lands within the Indian hunting grounds or without the limits of the land heretofore ceded by the Indians or conquered from them which limits westward are hereby declared to be as follows (that is to say): Beginning at a point in in the dividing line which hath been agreed upon between the Cherokees and Colony of Virginia, where the line between that Commonwealth and this State (hereafter to be extended) shall cross or intersect the same running thence a right line to the North Bank of Holston river, at the mouth of Clouds creek, being the second creek below the Warriors' Ford at the mouth of Carter's valley; thence a right line to the highest point of a mountain called the High Rock or Chimney Top, from thence a right line to the mouth of Camp Creek otherwise called McRamer's Creek on the south Bank of Nollechukee River about ten miles be the same more or less, below the mouth of Limestone and from the Bank of Camp Creek aforesaid a south-east course to the top of the Ridge of the mountains called the Great Iron Mountain being the same which divided the Hunting grounds of the Overhill Cherokees from the hunting grounds of the middle settlements and from the top of the said Ridge of the Iron Mountain a south course to the dividing

Ridge between the waters of the French Broad River, and the waters of the Nollechuckee River, thence a southwesterly course along the said Ridge to the great Ridge of the Apallachian Mountain which divides the eastern and western waters, thence with the said dividing Ridge, to the line that divides the State of South Carolina from this State, and that all entries and surveys of land heretofore made or which hereafter may be made within the said Indian Boundaries are hereby declared to be utterly void and of no force or effect, and the Entry Takers for the counties of Burke and Washington are hereby strictly commanded immediately to refund to the proper persons all sums of money by them received for the purpose of any Entry within the Indian Limits aforesaid, their own fees for making the Entry included."

And whereas I have received information that sundry trespasses have been committed on the lands within the Indian limits aforesaid by cutting and felling the trees, and killing the stock of the said Indians which trespasses are suggested to have been committed by persons who are subjects of this State. To the end therefore that no person within the State may be ignorant of so much of the said act of Assembly as is above recited, and to prevent further trespasses on the Indian lands and their property being committed, I have thought fit by and with the advice of the Council of State to issue this proclamation thereby promulging so much of the said act as is above recited and requiring all persons to pay due regard and obedience to the same, and also to require and command all persons within this State not to commit any trespasses whatever on the lands within the limits of the Indians as herein before described by cutting and felling trees or killing and destroying the stocks of the said Indians or otherwise in any manner whatever as they will answer the same at their peril. Given under my hand and the seal now used in the said State at Newington the 5th day of May in the second year of our Independence Anno Domini 1778.

R. CASWELL.

By his Excellency's comd.

J. GLASGOW,
Secretary.

GOV. CASWELL TO SAVANUCA, CHEROKEE CHIEF.

[From Executive Letter Book.]

State of North Carolina.

His Excellency Richard Caswell Esq., Captain General and Commander in Chief of the said State,

To Savanuca or the Raven of Chola, Head Man of the Cherokee Nation.

Friend and Brother:

I received your talk of the 14th of last month, by your father and my brother Captain Robertson. It made my heart glad to receive a talk from your own mouth addressed to myself, for although you have held a treaty with the Commissioners appointed by this State who had authority from the people to speak to you and your people for me and for all the people in this State, yet your talk to me through them was not so powerful as that now delivered to myself.

The treaty you speak of appears to me and all the good people of this State only as of yesterday. I did not know of any public meeting at Long Island at the time you mention or I would have sent one at least of our warriors to meet you there, to strengthen the friendship and brighten the chain between our good Brothers your people and this State; you will do well whenever you propose a public meeting of your people in which you wish to have the presence or assistance of any of our people to give me notice, which you may always do by applying in time to your Father and my good brother Captain Robertson whom we sent to live among our good Brethren your people for that purpose, and whom I hope you have no cause to believe would do other than serve you and your people in the trust we repose in him.

I am sorry you should have cause to complain of the conduct of any of our people towards you or yours, and particularly in the matter you complain of regarding their marking and cutting your trees. I fear these people have been misled in supposing they had liberty from the wise men of this State (the General Assembly) to enter your lands and make them their own. Their conduct has been represented to our wise men who lately sat in Coun-

cil here who disapproving the measures determined to prevent such mischief for the future, and have directed that no such trespasses shall be committed by our people on your lands nor are they on any pretence to go into your country or cross the boundary line for any other purpose than what is expressed in the treaty. This you have from my mouth, and whilst I am to speak for the people of this State as the Head Man thereof, you may rely on my promise to use my best endeavor to see that this resolution of the wise men of the State be put into execution, and I trust it will be properly observed by all our people. To that end I have issued a proclamation to let the people know this and forbid their trespassing on your property by killing your stock or otherwise. That if they do they will be punished in confidence that you will not suffer your people to do any injury to our people.

You say, "you give me but a short Talk for that in long Talks there generally are lies," you say true, and therefore I follow your example.

You say, "there is a small speck of Rust on the Chain and hope I will help you to rub it off." What I have now done, with what has been done by the wise men of the State, I hope will be sufficient for removing the Rust. If these do not prove effectual, no effort on my part shall be wanting to rub it off, and continue the chain bright. To confirm this truth, I send you a string of white Beads, and give my right hand to your Father Capt. Robertson, that through him I may touch your Flesh and salute you as my Brother.

Given at New Bern under my hand and the seal now used for the said State the 5th day of May, Anno Domini 1778, and in the second year of the Independence of the Said State.-

R. CASWELL.

JOS. PURNELL TO GOV. CASWELL.

[From Executive Letter Book.]

EDENTON 5th May 1778.

SIR:

I wrote your Excellency last Post requesting the favor of you to continue your orders for the purchase of some wagons. I now beg leave to inform you that the Honorable Francis Lewis Esq Member of Congress arrived here yesterday intending to go to Beaufort to treat with Capt Cottineau for his ship, and Cargo, which he had made an offer of to Congress. There are a considerable number of wagons coming from Pennsylvania intended to carry away such part of Capt. Cottineau's Cargo as Mr. Lewis might think proper to purchase, and all the public stores useful to the Army, which are lying in this State. Being disappointed by Captain Cottineau, there will be a surplus of wagons, Mr. Lewis has therefore directed me to request your Excellency to countermand your orders for the purchase of wagons and to inform you that if you have any stores to send to Pennsylvania, if they can be sent here or to any other place near by in the Route from hence to Head Quarters they shall be carried in these wagons. If you have any such stores, he requests you will be pleased to inform him here what quantity and where they can be most conveniently lodged.

I am with great respect,

Your Excellency's hume. Servt,

JOS. PURNELL A. C. G.

GOV. CASWELL TO PRESIDT. LOWNDES OF S. C.

[From Executive Letter Book.]

NO. CAROLINA, NEW BERN 6th May 1778.

SIR:

Col. Chariol, a French Gentleman, the bearer of this, has received a Commission from this State to raise a Regiment in defence of American Liberty, and to be composed of French Sailors and other natives of France, or the French West Indies. He is persuaded from his general acquaintance with those of his nation that

he shall have great success in recruiting, if he shall proceed so far South as Charleston. I beg leave to recommend him to your protection, and that if consistent with the policy of your State, you will be pleased to give him liberty to recruit.

I have the honor to be with very great respect Sir,

Your Excellency's most obedient Servant,

R. CASWELL.

GOV. CASWELL TO HIS EXCELLENCY RAWLINS LOWNDES ESQ. PRESIDENT OF SO. CAROLINA.

[From Executive Letter Book.]

North Carolina New Bern 6th May 1778.

Sir:

I had the honor to receive your favor of the 13th ulto by Doct. Oliphant, and I beg leave to assure you that every attention shall be paid to that Gentleman, as well as to whatever you may think proper to recommend.

I was last evening favored with a letter from the Hon. the President of Congress, an Extract of which I have the Honor to enclose you with a paper to which the letter refers.

I am with very great respect Sir,

Your Excellency's mc. ob. Servt,

R. CASWELL.

GOV. CASWELL TO JOS. PURNELL ESQ.

[From Executive Letter Book.]

New Bern 6th May 1778.

Sir:

After I wrote you the other day, I found Col. Williams had not left Town, I applied to him, and he agreed to use his best endeavours to purchase Eight wagons and send them down with the one remaining of the (Twelve) he had undertaken to purchase at the instance of the board of War. I have furnished him with Bills on the Treasury to enable him to make the purchases, and given him directions to send the wagons & Teams with drivers under the

direction of a wagon Master, immediately to you at Edenton, and in case of your absence to Messrs Hewes & Smith, and also desired they carry corn sufficient to last the Teams 'till they cross James River.

Pray let me hear from you soon as you get any account of him. I am Sir,

Your mo. ob. Servt,
R. CASWELL.

GOV. CASWELL TO HIS EXCELLENCY GENL. WASHINGTON.

[From Executive Letter Book.]

No. Carolina NewBern 6th May 1778.

Sir:

I had the honor to receive your favor of the 28th March, some few days past. A quantity of the Clothing purchased for our Troops have been, previous thereto sent on, and directed to the Clothier General at Lancaster. What have been since, or may be sent for our Troops, shall be directed to the officer commanding our Brigade. The General Assembly of this State which rose a few days ago passed an Act for the completion of the Battalions of this State, a copy of which I have the honor to enclose you, and I beg leave to assure your Excellency that every means in my power shall be used for raising and forwarding the men agreeable to your orders.

In pursuance of a Resolution of the General Assembly, of which the enclosed is a copy, I take the liberty of recommending to your Excellency's notice the Bearer Monsieur de Cambray who arrived in this State about two months ago, since which he has been busily employed here in constructing a Fort at Cape Lookout Bay, which may be of very great utility to the States. He wishes you to be informed that his stay here was merely for the service of the States, having refused any allowance from this State for his very essential labours. He is desirous of entering into the Army,

and I believe has Letters to Congress, and to your Excellency, which make it the less necessary that I should say anything further in respect to him.

I have the honor to be with the greatest respect and regard Sir,

Your Excellency's most ob. and very humb. servant.

R. CASWELL.

GOV. CASWELL TO HIS EXCELLENCY GOV. HENRY.

[From Executive Letter Book.]

No. Carolina, NewBern 6th May 1778.

Sir:

Col. Chariol a French Gentleman has obtained a Commission from this State, to raise a Regiment in defence of American Liberty, to be composed of French Sailors and other Natives of France or of the French West Indies. He purposes going into the State of Virginia to recruit, I beg leave to recommend him to your protection, and if consistent with the policy of your State, you will be pleased to grant him permission to recruit. I have the honor to be with very great respect and esteem Sir,

Your Excellency's most ob. Servt.

R. CASWELL.

GOV. CASWELL TO HON. HENRY LAURENS ESQ. PREST. CONGRESS.

[From Executive Letter Book.]

North Carolina, NewBern 6th May 1778.

Sir:

I had the honor to receive your favor of the 24th ulto. with its enclosures, yesterday evening, and rejoice to find there is at least a probability of the British Ministry being brought to the exercise of their reason. The measures taken by Congress are such as every well wisher to American Freedom, in the sincerity of his heart must applaud, and for my own part, I can say with the greatest gratitude, that that Honorable Body has my most cordial

thanks, and I beg leave to assure them that I will pay the strictest attention to their recommendations, and use every means in my power to carry their resolves into execution.

I did myself the honor of writing you by Capt. Reading Blount the 2nd instant, and enclosing an Act of Assembly for completing the Continental Battalions belonging to this State. A Resolve empowering me to draw for 500,000 dollars, with some other papers, which I have no doubt you will receive before this reaches you as Capt. Blount was to proceed immediately to Congress to receive the 500,000 dollars, which I had given him a draft for, and as I then informed you little was to be expected without money. I beg leave to repeat it, and again to request you will be pleased to attend to that matter, and give every assistance in your power towards despatching Capt. Blount.

I have the honor to be with the highest regard and esteem Sir,

Your most ob. and very huml. Servt.

R. CASWELL.

GOV. CASWELL TO HON. HENRY LAURENS ESQ. PREST. CONGRESS.

[From Executive Letter Book.]

No. Carolina NewBern 6th May 1778.

Sir:

The Bearer Monsieur de Cambray arrived in this State about two months past, since which he has been employed in constructing a Fort at Cape Lookout Bay. He has letters I am told to Congress and wishes that Honorable Body to be informed of his stay here, and that his only inducement was to serve the United States in the business which has detained him as he refused to receive any satisfaction for his important services from this State.

I take the liberty in consequence of the enclosed Resolve to commend Monsieur de Cambray to the notice and protection of the Honorable Congress, and am with greatest regard and esteem Sir,

Your mo. Ob. Servt.

R. CASWELL.

GOV. CASWELL TO WM. SKINNER, ESQ.

[From Executive Letter Book.]

NewBern 6th May 1778.

Sir:

I have given Col. Chariol a draft on the Treasury for 5,000 dollars, which, if he presents to you, I beg you will answer if in your power. He is on the recruiting business, and I take the liberty of recommending him to your attention, and am Sir,

Your mo. ob. servt.

R. CASWELL.

GOV. CASWELL TO HON. JOHN ASHE ESQUIRE BRIGADIER GENERAL OF MILITIA, WILMINGTON.

[From Executive Letter Book.]

(Circular)

New Bern, 6th May 1778.

Sir,

I beg leave to recommend the carrying into execution the late law for completing our Continental Battalions to your particular attention, and also that you give orders to the Commanding Officer of the several Regiments of militia composing your Brigade to hold themselves and officers and men under their command in readiness to act, as occasion may require, in defence of American Freedom and in support of our common rights. The inducement I have to request the latter you will see by the enclosed paper.

I am, Sir, with very great respect your most obedient servant.

R. CASWELL.

PRES'T HENRY LAURENS TO GOV. CASWELL.

[From Executive Letter Book.]

York Town 8th May 1778.

Sir:

My last to your Excellency was the 5th Instant by Post within the present enclosures your Excellency will receive several copies of the Pennsylvania Gazette, in which is contained an Act of Congress for publishing such parts of the treaty of Paris, of the 6th Febry as Congress have judged necessary for public information and for government in particular cases.

The Ratification shall be transmitted, when the Secretary enables me, but his office at present is a scene of hard labor, and some articles unavoidably delayed. I have the honor to be Sir, your Excellency's ob. humble Servt.

HENRY LAURENS.
Presdt Congress.

P. S.

I have sent on to Gov. Henry Copy of a letter from a man of character, containing news of the day very important if true, and have requested that gentleman to pass it on to your Excellency.

PRES'T HENRY LAURENS TO GOV. CASWELL.

[From Executive Letter Book.]

York Town 11th May 1778.

Sir:

My last was dated the 9th Inst. recommended to Gov. Henry's protection. Your Excellency will receive with this twenty copies of an address by Congress to the inhabitants of these United States and three of a Proclamation for restricting within proper bounds the conduct of Captains, Commanders, &c., of American armed vessels. These papers your Excellency will be pleased

to disperse in such manner as shall most effectually answer the purposes intended. I have the honor to be with great esteem & regard your Excellency's mo. ob. humble servt.

HENRY LAURENS,
Prest. Congress.

12th. General Howe by a letter the 10th Inst. to Genl. Washington had made new overture for an exchange of prisoners, and talks of the prospect of suffering on our part as the hot weather approaches. What Congress will determine may be known tomorrow. The letter this instant reached me. I recollect Genl. Burgoyne asked of Genl. Gates parol enlargement for two of his officers to come into his camp in order to adjust their regimental accounts only for a month, when he had but two days provision.

DR. COTTINEAU TO GOV. CASWELL.

[From Executive Letter Book.]

EXCELLENCY:

Hardly arrived from Beaufort. I have nothing more in haste than to give an account of the state in which I left the forward of the orders I have, I give to my officer, but I saw Capt. Ellmen, and fear them against your orders. They will offer some delay to your commands for assemble there the Guard that you destined for. Your Excellency will feel how it is, consequence for me to hasten the work, I recommend myself to your country, and expect from you friendships then you will agree to my prayer. I have continually 60 men working, but the planks hold me back, and if I can send enough of that I hope than I have work shall be soonly done. What is finished is however able to rebite to one attack. The house for Garrison is ready also the powder house and the well. I ordered to place in the store, let the Garrison be carried there, 10 Gunners and one officer, so much for serve the gun, as for instruct in these recruits, the soldier who shall be send there, and as the same inconvenience which succeeds for my exits

for them. I supply to have the complaisance to send me commission of Lieut. for my officer, and of Sergeant for my second chief gunner.

The officer is called M. L. Meignan, gentleman very well born, and able in all concerns to be officer, since he is in France.

The chief gunner named James Martin had been employed 6 years in the artillery, will observe that all these commissions are as more without allowance.

I am instructed that we have saved 12 guns of 18 pounders at Ocracock Bar. It is very essential to give orders to transport on Cape Lookout or lease 8, and I think we should be invulnerable to lay lost in Beaufort Point, can it must, order to construct carriage for them and assemble of competent.

I pray to address your answer to Mr. Long Brother in New Bern, who shall send it to me if I am absent I'm pleased to present my respects to your Lady and assure you of that with which I am

Your Excellency's ob. servt.

DE COTTINEAU.

(Bad English and worse French)

M. J. L.

Newbern 12th May 1778.

GOV. CASWELL TO THE COMMISSIONERS OF CLAIMS OF THE HON. THE BOARD OF TREASURY.

[From Executive Letter Book.]

No. Carolina 12th May 1778.

Gentlemen:

In pursuance of a Resolution of the 26th of February last passed in Congress, I enclose you an account of this State against the United States for Monies supplied Prisoners of War, since the Commencement of the War. I have carefully examined the Treasurer's accounts, and find no more charges on this account than what is contained in the enclosed.

I am Gentlemen,

Your mo. ob. Servt,

R. CASWELL.

Gov. No. Carolina.

GOV. CASWELL TO CAPT. READING BLOUNT.

[From Executive Letter Book.]

DOBBS COUNTY, 12th May 1778.

SIR:

The Bearer is sent express to Congress or rather the Treasury Board, with papers I could not get ready before you left New Bern, I have wrote to Col. Glasgow to send this with one Williams who will be a good hand to return with you. Pray let me entreat you to be as expeditious in returning as possible. You know the urgent necessity there is for your being thus pressed by me. If anything happens that you cannot get the money to set out so soon as expected pray despatch the Bearer with information to me. If you can on your return buy me two or three dozen knives and forks good if to be had, tho' any will do, be so kind as to do it, and obliged Sir, Your very humble Servt.

R. CASWELL.

GOV. P. HENRY OF VA. TO GOV. CASWELL.

[From Executive Letter Book.]

WILLIAMSBURG May 16th 1778.

SIR:

For your Excellency's perusal I enclose a paper I received from the Hon. Mr. Laurens agreeable to his desire. I most heartily congratulate you on the great event of the treaty with France. It will most probably bring with it our permanent Independence.

Our Assembly willing to guard against every contingency have just voted 350 horses and 2000 Infantry to be raised forthwith. I beg leave to mention to your Excellency what the Commissioners for this State on the So. western frontier have repeatedly informed me. It is that certain persons of your State have intruded on the Cherokees, entries for their lands are said to be made even close to their towns, and some settlements forming far over the line. I know your Excellency's supreme regard for justice and the public good, and that the good people of Carolina will not advisedly do anything that will embroil us with the

Indians, and thereby co-operate with the British Emissarys. I give you the information as I receive it, not doubting in the least that every step will be taken by your State which Justice and true policy may dictate in this important business. With the highest regard, I have the honor to be Sir, your Excellency's mo. ob. and very humℓ Servt.

P. HENRY.

COL. CHARIOL DE PLACER TO GOV. CASWELL.

[From Executive Letter Book.]

NEW BERN May 20th 1778.

SIR:

I have the honor to direct to you Mr. James Laclause, and beg you'll be so kind as to agree him as a Capt. of a Company in my Regiment. I am returned from Wilmington and brought with me eleven French soldiers, who made the customary oath as you'll see by this present expedition. I hope I shall get about fifty more in a fortnight's time, tho' I haven't received any money, I shall do what I can to complete my regiment, and be ready to follow your orders, to set off for the army. There's a company in Williamsburg, which has been offered to join my regiment, you might settle this with his Excellency Gov. Henry or write about it to the Congress, because that company has no Col. it is true that if it joined to me, I might soon march for the army. I have received an answer from the Baron of Bottecele's, an officer of 25 years service, who has all the possible experience of War, who accept the part of Lieut. Col. because he is my friend upon which I can put my trust, he is now in Charlestown, I propose myself to send him the letter you gave me for the Governor, and shall give him the charge of recruiting, as many soldiers possible. I beg you be so kind as to agree him as Lieut. Col. if you like it best to send his commission to me. I have the honor to advise you that Mr. Duvivier is Major and I hope you'll receive him as such, you know him enough to excuse him for not going to see you, on that account.

I have the honor to see you in a few days on some particular things.

I am with respect sir, your huml servt.

CHARIOL DE PLACER.

His Excellency will be so kind I hope to adjudge at me the house belong to Mrs. Edouard it is nobody there, and it is impossible to find another in the town to answer my purpose.

CHAPLAIN ADAM BOYD TO GOV. CASWELL.

[From Executive Letter Book.]

Camp 20th May 1778.

Sir:

I transmit you herewith some extracts from the proceedings of a Brigade Court Martial; which you will see I was ordered to transmit to you. My reasons for not obeying this order sooner are, that Capt. Granbury appealed to a Court Martial General of the line, the determination of which I waited for. He was there acquitted and General McIntosh, told me, I should not send in the proceedings, but Col. Clark has since told me, I ought, and I would have done it ere this, but I was sick in the Country. The Court finding those men on Captain Granbury's muster roll, as the extracts show, imagined, he had drawn bounty for them, and the premium for enlisting, and perhaps some pay not yet accounted for; these reasons, as well as that the truth might be known, also the nature of these discharges and the condition on which they were said to be given induced the Court to give you this trouble.

I am further directed to inform you that John Jones, Jacob Bagley and William Barlow appear to them to be Continental Soldiers, for Capt. Granbury had no authority to discharge them.

Reports from the enemy are various, but on the whole it has for some days been believed they meant to leave Philadelphia. Whilst I have been writing this, alarm Guns were fired, and the report is that they are on their way to our Camp. Should this prove true, we shall have some warm work of it, but I do not believe it, tho' 'tis not impossible, for large detachments have been sent off expecting to meet with them in the Jerseys, whither

it was intended to go. They knowing of these detachments might perhaps think they would be able to carry our camp, before those parties could be called in. I should probably be able to give you some account of this before I send this letter off. I have the honor to be with due respect Sir,

Your most humble and very Ob. Servt.

ADAM BOYD.

P. S. I have been out since I wrote the within to inquire how matters were going, and I find that the Marquis de La Fayette, who had gone out two days ago with a detachment of about 3,000 men, found himself this morning between a party of the enemy (who had got into his rear) and Philadelphia and in order to escape two fires he marched across the Schuylkill, which he passed in sight of the enemy, without receiving a single shot from them. The enemy's appearing so near camp occasioned the alarm; but it is now said (and I believe it) that they are returning to Philadelphia, having missed their aim, which was to cut off the Marquis. Another thing they probably had in view, and that was to amuse us here, while their Troops passed the Delaware at Philadelphia, from which it is said they propose going to Brunswick. This they can effect by forced march of a night and day, this and the scarcity of transports to carry the troops to New York, are the chief reasons for my supposing they intend that Route, which some assert they intend to take. A few days will probably determine these things, and of course will produce something essential and perhaps decisive. Yours &c.

A. BOYD.

22d May, '78.

The whole British Army except a Garrison, was out upon this occasion, but they managed very badly, otherwise our detachment would have fallen a sacrifice. The Marquis made a noble retreat, but a sergeant from Brigade was taken, and an Indian killed. This I believe is all the loss we have sustained, and five of their horsemen were killed and several wounded. This skirmish happened between a party left to recover the retreat, and an advanced one of the enemy. Genl. Lee and Col. Nathan Allen, who have at last been exchanged, are now in Camp.

JOHN LONDON TO GOV. CASWELL.

[From Executive Letter Book.]

WILMINGTON, 20th May 1778.

SIR:

The bad state of my health for this month past occasioned by a violent fever, which has prevailed for some time past in this Town, has exceedingly reduced me, and obliged me to solicit your Excellency to enlarge my limits that I may have the benefit of a change of air, your Excellency may rely upon my strictly conforming (as I have hitherto done)to the purport of my parole. I did myself the honor of writing to you respecting my memorial and situation, about a fortnight before the meeting of the General Assembly, but as I have not heard anything in answer, I am doubtful of my letter coming to your Excellency's hands.

I shall readily submit myself to your determination tho' I cannot help expressing my wishes to have my parole extended a dozen or 15 miles.

I beg your Excellency to pardon the trouble I give you. I am with great respect Sir,

Your most obliged and most humble servant,

JOHN LONDON.

CAPT. WILLIS WILSON TO GOV. CASWELL.

[From Executive Letter Book.]

ON BOARD CASWELL, OCRACOCK BAR 20 May 1778.

SIR:

Since my station at this place there has nothing happened worth your Excellency's notice. There now lies at Anchor without the Bar, waiting for a wind to come in a French ship and Brig; an officer of the former is now on board the Caswell who came in for a pilot; which I shall endeavour to procure him to-morrow, as he has declined going off to-night. Several American vessels have arrived and gone to Edenton and South Quay. This place is not at all infested at present with British Cruisers, shall exert myself to keep it so. The reason I did not get down so soon as I

expected, when I last saw your Excellency was owing to my want of bread and 12 pound ball. All I recd from the Virginia Navy Board, for my station at this place, with a full complement of men, was twenty barrels and four hog's heads of bread and flour, and eighteen pound shot, instead of twelve; we very much want a Tender, as it will be impossible for the chief to keep any considerable time at her station without one.

I received your Excellency's favor at Edenton from which it seems to be a doubt (with me) whether the present Assembly will agree to an order of the last, respecting an additional pay to the Caswell's Crew. If this is the case they have brought me in a fine hobble. In consequence of that order (which I rec'd in a letter from your Excellency) I bound myself to every man I shipped to pay them twenty dollars a month, exclusive of the Virginia pay, 'twas also in consequence of that, that I manned the ship. I therefore beg your Excellency with the Honorable the Council, will take it in consideration, and order the pay roll (now offered you by Mr. Cheshire Master of the ship) to be settled. If it is not, I know not what to do, at least I cannot think of keeping the crew on board at my expense, to whom I am already in advance eight hundred pounds, out of my own pocket, and have not a single dollar to defray any imbursement for self or ship, our local situation rendering it impracticable to call on Virginia for every supply make it necessary for me to trouble your Excellency at present on that head, as it's been so long since the men were paid off, and have received promises from me, all of which I've not been able to comply with respecting their money, that I believe they begin to think me guilty of chicanery. Should be proud your Excellency would be pleased to send a Captain's and a Lieutenant's Commission for Samuel Gardner and Hance Bond, who have raised a Company of Marines, under that promise; should be proud to know if allowed for the horse that died. I am

Your Excellency's mo. Ob. huml. servt.

WILLIS WILSON.

N. B. Having shipped several men since I was at NewBern have made out another full Roll, with a later date than the one left with your Excellency.

W. W.

Since writing the above, I went ashore to get a pilot to go off

to the French ship, but could not prevail on one to go. The officer is still on board, and under the greatest anxiety for his ship, which I fear will be cast away or taken, I have not a pilot to the Caswell, or I would compel him to go off. This is not the first instance by many of the rascality of those men; every merchantman coming to this place, experiences it, and its clearly evident to me that they wish every vessel cast away, as they may plunder them. Should be glad your Excellency would make the line of my conduct among them, Mr. Cheshire being sick Mr. Bond of the Marine is the bearer of this. There being no Justice of the peace at this place, could not get the pay-roll proved, but will do it at the settlement of the next.

Your Excellencie's obedient servant,

WILLIS WILSON.

FRANCIS BRICE TO GOV. CASWELL.

From Executive Letter Book.

WILMINGTON May 24th 1778.

SIR:

On the 7th Inst. I shipp'd Ninety Barrels of the public Pork, on board of a small Sloop (of which I was part owner) for the South Quay, and had fortune smiled on this first Trip, I intended to have sent her a second time had I not got another vessel before her return, but my intention is set aside, as Goodrich has laid hands on her, I sent her to New York, by which the public as well as myself, will be considerable loosers. Without further orders from your Excellency, I don't think it will be prudent in me to ship any more, as we are well assured three small privateers are constantly cruising off Beaufort and the risk now undoubtedly be great.

Mr. Toomer on his return from New Bern presented me an account amounting to £430, for salt for repacking the Pork, since it was removed from Town, which account the Committee informed him I must pay, but as I had only £640-16 shillings in my hands to enable me to send the Pork to the South Quay. I shall be inconveniently in advance should I pay Mr. Toomer's account, and as I

have already experienced the inconvenience of advancing money for the public and the difficulty of having it refunded, I must decline advancing any more cash on account of the Public.

I am your Excellency's very ob. Servt,

FRANCIS BRICE.

GOV. CASWELL TO HON HENRY LAURENS PRESDT. CONGRESS.

[From Executive Letter Book.]

NEW BERN 25th May 1778.

SIR:

I had the honor to receive your favors of the fifth and eighth Instant, last evening with their enclosures.

The wisdom of France is conspicuous in the Treaty she has concluded with America. It shows her justice and magnanimity in not attempting to obtain exclusive advantages, and may prevent jealousies in other powers, in short Sir, it bespeaks those who conduct her Councils to be possessed off very different sentiments and abilities from those of Britain.

The satisfaction I feel as an Individual on this occasion I am unable to express. I have the honor to congratulate you and the Honl. Members of Congress on the glorious event of this Treaty and am with the most perfect esteem and regard Sir,

Your most obdt. very humble servant,

R. CASWELL.

GOV. CASWELL TO HIS EYCELLENCY GOV. HENRY.

[From Executive Letter Book.]

NEW BERN 25th May 1778.

SIR:

Your favor of the 16th Instant with its enclosure I received and most sincerely return your congratulations on the event of the Treaty with France. I think the permanency of our Independency much depends on it and every true friend to Freedom must rejoice on receiving the accounts published by Congress. The late session passed an Act declaring entries of lands beyond the Indian limits

void, and directing the entry takers to return the monies they had received from the same and fixing the boundaries agreeable to Treaty. On receiving complaints from the Indians similar to those mentioned by your Excellency, I issued a Proclamation promulging such part of the Act aforesaid as I deemed necessary and forbidding any settlements or Trespasses on the Indian Lands—I sent a Talk to the Raven of Chola in answer to one I received from him, which I flatter myself will remove the apprehensions of the Indians, of our depriving them of any lands beyond the Boundaries and reconcile them to the people of this State.

I have the Honor to be with the greatest esteem and regard Sir,

Your Excellency's mo. ob. & very huml. servt,

R. CASWELL.

CORNS. HARNETT TO GOV. CASWELL.

[Erom Executive Letter Book.]

Poplar Grove near Wilmington May 25th '78.

Sir:

It was my intention to have waited on your Excellency on my way home, but was detained so long on the way that I had nothing to communicate, but what I was sure, must have been transmitted to you officially, by the President of Congress, but above all the earnest desire of seeing my family after so long an absence prevented my paying my respects to you which you will be kind enough to excuse. I shall set out for Pennsylvania about the latter end of the next month, and shall wait on your Excellency for your commands. I suppose Mr. Penn is gone on, with the proper credentials of our appointment. Mr. Craike met a person on the road yesterday with a hand Bill printed by order of Congress, giving an accout of a Treaty, betwixt France and the United States. Congress had not received the slightest intimation of this transaction when I left it, indeed our intelligence from Europe had been stopped for several months past, several of our Packet Boats having been taken by the enemy's cruisers, which almost cover the ocean. I left the Congress in high spirits expecting the Continental Army to be very soon reinforced, and

able to keep the Enemy within their bounds. With my best wishes for your family I am with the greatest respect and regard,

Your Excellency's Mo. Ob. very huml Servt.

CORNS. HARNETT.

P. S. The letter from Mr. Burke, he desired me to mention to you was only for your own private information. I hope before he left Congress the whole was erased from the Journal.

PREST. HENRY LAURENS TO GOV. CASWELL.

[From Executive Letter Book.]

YORK TOWN, 26th May 1778.

SIR:

Since my last of the 11th Inst. by Post, I have had the Honor of presenting to Congress your Excellency's several favours of 26 April, 2d and 6th Inst. which remain subjects for consideration. Capt. Blount is here and will probably be the bearer of the Resolutions of Congress respecting them.

In the mean time this will serve to cover an Act of the 22d recommending to the several States to exémpt from the Militia service and to disqualify for acting as Substitutes all prisoners and deserters from the British Army and Navy.

Daily accounts repeat the Enemy's preparations for evacuating Philadelphia, there can be no doubt of the appearance but time will show the reality. I have not had a letter from Genl. Washington later than the 18th, the Genl never trusts appearances.

The Marquis de La Fayette lately detached upon a command of observation, with about 2,200 chosen men and officers, had nearly been surrounded by 7,000 from the city, betrayed undoubtedly by a Tory or Deserter. The Marquis displayed great Generalship, in his retreat, which he effected without loss of men, cannon or baggage.

Intelligence of his alarming situation reached the Camp at Valley Forge, this was announced by the usual means of firing three Cannon. To the honor of Major General Baron Steuben, the whole army in fifteen minutes were under arms, formed and ready to march, but the enemy who had reached one Bank of the Schuyl-

kill just as Marquis de La Fayette had gained the opposite, contented themselves with giving him a look, perhaps a smile, and returned to Philadelphia, the Marquis continues abroad with his detachment of observation. I have the honor to be with the greatest esteem and respect Sir,

Your Excellency's mo. ob. hue. Servt.

HENRY LAURENS

Prest. Congress.

GOV. CASWELL TO CAPT. WILLIS WILSON, SHIP CASWELL OCRACOCK.

[From Executive Letter Book.]

New Bern 26th May 1778.

Sir:

I had your latter of the 21st Inst. and am very much concerned at the account you give me of the rascally behavior of Pilots. At present I do not know that it is in my power to do any thing with them, if I find it is they shall be treated as they deserve. Mr. Bond has promised to give me a list of them. The Assembly directed a Tender to be purchased by Capt. Easton at Beaufort. He advised me he had made the purchase, and is fitting the Sloop for your purpose, the sooner you can send for her I think the better. Shot, Bread & flour is to be had here. I think you had best appoint an Agent, at this place to provide necessaries for the ship and Crew, who shall meet with every assistance I can give. The Ship is to be taken into the service of this State as the property of the State (by Resolve of the Assembly) arrears to be paid up, agreeable to a former Resolve, to the 20th April, last, and from that time forward the pay be as follows, viz: The Commander per day 3¼ dollars, Lieut 2¼ dollars, Doctor 2¾ dollars, Captain of Marines 2¼ dollars, Lieut. Marines 2 dollars, Master mate 1½ dollars, Midshipman 1½ dollars, Boatswain 1½ dollars, Common Sailors 35 dollars per month. I have appointed Capt. Easton paymaster to whom (if he accepts which you may know by writing to him) you will do well to send your account made up to the 20th of April, and from that time a monthly pay Roll according to the above establishments. I expect a considerable sum of money from

Congress in two or three weeks, so soon as it arrives I shall advise Capt. Easton. Enclosed you will have Captain's and Lieutenant's Commission for the officers of Marines. An allowance was made by the Assembly for the Horse.

I will endeavour to get a certificate, and send you the money when that is sent to pay off your Crew.

I am, Sir,

Your obedient Servt,

R. CASWELL.

GOV. CASWELL TO GENL. WM. BRYAN.

[From Executive Letter Book.]

New Bern 26th May 1778.

Sir:

Mr. Hardy Bryan who was appointed by the General Assembly to supply the several detachments ordered to march from the Regiments belonging to your Brigade, having declined that service, I am to request that you forthwith direct the commanding officers of the several Regiments composing your Brigade to appoint some person to furnish the men marching from their respective Regiments with provisions, until they arrive at Halifax, as this very necessary business must not be neglected. The expense attending this matter, shall be paid so soon as the money arrives which I expect at least by the time the Troops will get to Halifax. I imagine that one person might furnish those who march up Tar River, Hyde, Beaufort and Pitt and those from Carteret and Craven and perhaps Dobbs by one, if the men from Carteret and Craven march by way of Kingston, where the Dobbs men are to Rendezvous the 6th June. I have in view the appointing a person to go to Johnston who will contract for provisions for that detachment, and also for Dobbs, if the Carteret and Craven men go by Kingston. On your signifying the same, provisions shall be furnished there for them, but this must be known in time. This trouble I am loth to give you, but it cannot be avoided, any expense you are at for expresses shall be paid the moment you furnish the Secretary with the account.

I am your most obdt. Servt,

R. CASWELL.

GOV. CASWELL TO HON. WM. DUER & RICHD. HENRY LEE ESQRS.

[From Executive Letter Book.]

NORTH CAROLINA, 28th May 1778.

HON. GENTLEMEN:

I am honored with your letter of the 16th Instant with its enclosures. I shall pay that attention to matters you recommend which their importance requires.

The information given by McCleod is without foundation, no such event as he mentions has happened. The other persons mentioned in your letter are such as have been sent out of this State, for refusing to comply with or submit to the present Government; they have friends and connections here and no doubt still correspond with those friends by some means or other. But that vessels from the enemy load at several of our ports are practices to me unknown and at present, I do not believe. However, I shall use my best endeavor to find them out, and detect such as are concerned therein, if such there are.

I am with great respect Honorable Gentlemen your most obedient servant,

R. CASWELL.

CAPT. R. COGDELL TO GOV. CASWELL.

[From Executive Letter Book.]

NEW BERN, 28th May 1778.

DEAR SIR:

The Bearer Richd. Ross, an express from York Town with despatches for your Excellency arrived in this town, about four hours after you left it yesterday, his horse not able to proceed. I endeavored to hire a horse for him, and after some time got one but too late for him to set out last night. He brings additional accounts from Congress since the last Sunday was a week, when he set out from York Town, bringing accounts that on Saturday the day before he set out, account reached that town, that a detachment from the British Army had gone to the towns of

Bristol and Burlington, and had burnt the houses of the Whigs, that they were attacked by our Militia, and after some time the Militia were reinforced from Genl. Washington's camp & that 300 of the enemy were prisoners, 106 of them were brought to York Town before the bearer left it. He also informs me that several of our wounded Militia were thrown in the fire, and burnt alive. If your letters communicate any thing material, more than is mentioned in the hand bill, which he has for your Excellency, please to communicate it if proper and you will oblige your Excellency's humble servant,

R. COGDELL.

GOV. CASWELL TO COL. JOHN BRYAN.

[From Executive Letter Book.]

Newington 29th May 1778.

Dear Sir:

Mr. Hardy Bryan who was by law appointed to supply the troops raised in New Bern District to complete the Continental Battalion belonging to this State with provisions until their arrival at Halifax, refusing to act under his appointment. I am to request that you appoint some person to furnish the detachment marching from your regiment to Halifax, where Mr. Amis will take charge of them. Be pleased to give the person you appoint directions to pursue the law in that case, as nearly as he possibly can, agreeable to the directions pointed out by the act of Assembly for the Contractors, and I have no doubt but a proper allowance will be made by the General Assembly. The volunteers and drafts from Craven are to assemble at New Bern the 5th of June and those from this county at Kingston the 6th. I flatter myself the Carteret and Craven men will join the Dobbs at Kingston and be able to proceed on their march to Halifax about the 10th. Let me entreat you to send yours on as soon as you possibly can. With great esteem, I am dear Sir, your obdt. Servt.

R. CASWELL.

CAPT. R. COGDELL TO GOV. CASWELL.

[From Executive Letter Book.]

NEW BERN 29th May 1778.

DR SIR:

A disturbance has happened in this Town since you left us, which in its consequences tends greatly to obstruct the legal course of the civil powers for keeping peace and good order amongst us. You'll be more surprised to find that a justice of the peace has been the first mover in a most violent fit of passion, lost sight of his duty as a magistrate and made a Riot, on the following Occasion, to-wit:

Col. Chariol listed in the public service as a Soldier, a young fellow, a French sailor, which John Davis claimed as his servant. William Davis the father applied to justice Tisdale for a warrant to apprehend the man who was listed. Mr. Davis and his two sons went to the Barracks to take the men, which the French sergeant refused. They proceeded to Col. Chariol, and James Davis clapped his hands on the shoulder of the Col. and told him he was his prisoner, and should be sent to Gaol. 24 hours afterwards a parcel of sailors, Mr. Davis' sons and relatives and some others appeared armed with Guns, Clubs, &c., and the Esquire at their heads, coming to Dr. Gaston's for trial. Colo Chariol received from Mr. Davis and his sons much abuse, told him he had no right to enlist men, that he would cause his commission to be taken from him and alleged that the assembly had no right to appoint him and abused Dr. Gaston and the other Justices grossly, swore he would have justice done, or he would the night following head a party to put every Frenchman to death iu town, or drive them out of it. The French gentlemen were very much alarmed, and not understanding well the language, were not easily convinced, that the town in general did not approve of such proceedings. The arbitrary and scandalous behavour of that man, in many the like instances before has given this Town a name, such a name, as every inhabitant except himself and minions would blush at. We have magistrates in Town a Majority of them are ignorant, and the officers afraid to act, which is a curse that ought to be removed at any rate. Mr. Davis knows better and there-

fore he has no excuse. His prejudices and passion so govern him that he should not be intrusted with power. This affair happened yesterday, and I am informed this morning that about twenty sailors of Capt. Davis' and some other vessel, surrounded the school house last night armed with Cudgels, and beat and abused Chariol's men. Yesterday was seen men armed with guns in mid day running about the Town in quest of Chariol's sergeant and drove him out of the Town, and upon enquiring it appears that Mr. Davis had no Indenture or any thing to shew for his claim to the Frenchman as a servant, and the Magistrates notwithstanding has ordered the Col to have the man at the next Court, which was I think unnecessary as no Indenture or any other article or agreement was shewn to them to support any color of Right, in Davis, yet such is the wisdom of 3 Justices to detain and obstruct the service by such detention. The justices have forgot what the Rights of the people are, and their own powers, and I am sorry to say that in our County Court, it is not much better understood. I hope your Excellency will excuse this blotted scroll being hurried to send this by Mr. Green. I am Sir, most respectfully your Obedient servant,

R. COGDELL.

N. B. I do not wish this letter to be made known to any other than friends, as you'll hear more of this matter, from other means. I will satisfy the French Gentlemen that the Town does not approve of this proceeding, and that a stop will soon be put to such usage. Have desired Mr. Chariol to get his sergeant back, he shall be safe.

R. COGDELL.

MAJOR THOMAS CRAIKE TO GOV. CASWELL.

[From Executive Letter Book.]

COTENTNEY 29th May, 1778.

SIR:

When the waggons come from Cape Fear with the Lead I should be glad, if your Excellency has not more employment for it, that one of them come to Colo Blunts to carry to Halifax about 350 shirts which are now at his house. I suppose the weight of the

shirts will not be above ⅓ of a load, the other ⅔ may be made up with leather, or any other kind of stores your Excellency may think proper. I have the honor to be

Your Excellency's obedient servant

THOMAS CRAIKE.

PREST. RAWLIN LOWNDES OF S. C. TO GOV. CASWELL.

[From Executive Letter Book.]

CHARLES TOWN, May 29th 1778.

SIR:

I take the liberty to enclose to your Excellency a hand-bill just published here, being late advices received from Martinique, it may possibly be new to you. I congratulate you sir on the prospect we have that France is now determined to act and avow her part in favor of America. I always thought she would forbear to do it until she was pushed by circumstances. I thank your Excellency for the intelligence you was so kind to give me by your favor of the 6th inst and your attention to Dr. Oliphant.

I have the honor to be with great regard sir,

your Excelly's mo ob servt

RAWL. LOWNDES.

CAPT. R. COGDELL TO GOV. CASWELL.

[From Executive Letter Book.]

NEW BERN 30th May 1778.

DR SIR:

I am favored (by Col Chariol, who is going to see your Excellency) with a conveyance of the Packet and Papers enclosed rec'd since my last. The Col seems at a loss for a commissary to supply his men with provisions and who is his Master. His recruits increase fast. Mr. Davis has not yet drove them out of Town, tho' their Barracks has been two or three nights visited in a hostile manner by sailors and others who have been encouraged by the countenance of the Esquire and his sons and others influenced by them. The justices have (to please Davis I suppose) sent to

Gaol the Frenchman whom one of Mr. Davis' sons claims as his servant Shews no Indenture or any instrument of writing to justify his complaint, but says he bought him from old Foster at the Bar. I hope your Excellency and Mrs. Caswell and family are all well and am with due respect your most obedient servant.

R. COGDELL.

FARQD CAMPBELL TO GOV. CASWELL.

[From Executive Letter Book.]

CUMBERLAND COUNTY, 1st June 1778.

SIR:

Enclosed I send you my bond as directed by the council. I hope the sureties will be acceptable, you'll please to send me by the bearer Mr. John McKethan, the needful for me until the Assembly meets. Mr. McKethan waits on your Excellency with regard to the election for soldiers to go to Camp. I wish the Assembly may have left it in your power to give redress. If you have a spare copy of the laws and will send it to me by the bearer it would greatly oblige your most most humble servant.

FARQ'D CAMPBELL.

BENJ. BLOUNT TO GOV. CASWELL.

[From Executive Letter Book.]

TYRRELL 1st June 1778.

DEAR SIR:

I rec'd your favor by Mr. Harrison and notice the contents. I am sorry they should complain of the unfairness of the draft, which was done in the following manner. The different companies being proportioned, the supernumerary men of each Company, composing a company proceeded to Ballot from which one of the complainant's sons was elected. The other was elected from the company he properly belongs to, his reason for saying it is unfair is because he removed out of the neighborhood a few days before, tho' it was evident to the Court Martial he removed in

order to evade the draft, and had Mr. Harrison been attached to their Company there had been no complaint, as a new choice would be attended with length of time, as well as difficulty; shall let the matter rest till I have your Excellency's further opinion, should be glad to be informed how when and where the Bounty for the men raised in the county is to be had.

I am your Excellency's mo ob servt.

BENJA BLOUNT.

MAJOR THOS CRAIKE TO GOV. CASWELL.

[From Executive Letter Book.]

HALIFAX June 2d 1778.

SIR:

I have inquired about the guard that was to be raised for the public Magazine, in this town, I am sorry to inform your Excellency, that if there were not some soldiers belonging to the Continental Troops, in town, the magazine would be a great risk. Mr. Powell who is appointed Captain of the guard, has only recruited 6 men and boys and he says it is not in his power to inlist men as such great Bounties are given for men to go to the Northward. I have desired him to make a return to your Excellency and inform you fully respecting his company. I have desired Col. Long to have two Conductors made for the Magazines at Kingston and forwarded as soon as possible. I shall have the same done for the Magazine here. The officers are very urgent with me for clothing of all kinds, and I have none to deliver them, I shall set off today for Edenton, and will if possible procure some of every kind.

Capt. Little came here this morning from the Back Country. He says the recruits where he has been are in great forwardness particularly in Orange. The companies here I believe will be soon ready to march. Some of the volunteers for this town have rec'd £200 over the Bounty given by the State, fine encouragement for men to serve their Country. I should be glad if Mr. Sitgreaves would send some of the cloths in his possession. The wagon that brings the shirts from Mr. Blount's, had best make up a load at

New Bern of such stores as may be there, Col. Long has some pots which he directed Fields the wagon Master to bring. I suppose Mr. Sitgreaves will be able to load a wagon out of those three articles. Mr. Mallett nor Mr. Burton has sent their leather yet, Col. Long has had a letter from Mr. Mallett, and his may be expected every day. If there are any particular directions about the leather your Excellency will be pleased to forward them.

I have the honor to be your Excellency's most obedient humble servant

THOMAS CRAIKE.

HON. JOSEPH HEWES TO GOV. CASWELL.

[From Executive Letter Book.]

EDENTON 5th June 1778.

SIR:

A French vessel having been some time since driven on shore near Roanoke Inlet, a dispute has arisen respecting the goods saved, and some complaints made that part of them have been embezzled. Both parties applied to me on the occasion, but it being out of my power to do anything for them officially, I have advised the Captain to apply to your Excellency, the bearer Monsier Lafout being a friend to the Captain and has been down to the Bank and can give you some information of the matter. I think it is a great pity the Legislature has not taken some notice of these matters, and made some provision to relieve such unfortunate persons as may be driven on our Coasts so as to afford them assistance in saving what little property the enemy and the sea leaves them.

I am with great respect and esteem sir, your Excellency's most obedient humble Servant,

JOSEPH HEWES.

[From Executive Letter Book.]

NORTH CAROLINA GRANVILLE COUNTY.

To His Excellency Richard Caswell Governor Commander in Chief in and over the said State.

This is to certify that we the Colos Lieut Col. and Majors with

the Captains of the County of Granville proceeded to raise the Quota of troops for the said County agreeable to an act of Assembly passed the last session at New Bern, and having raised the same agreeable to said act, the said soldiers so raised this day proceeded to elect a Captain agreeable to said act and that John Farrar one of the volunteers within the said county was duly elected Captain, whom we beg leave to recommend to your Excellency to be commissioned for that purpose. Given under our hands at the Court House in the said county this 6th day of June 1778.

SAMUEL SMITH, COL.
THORNTON YANCEY.
CUTBRUD HUDSON.
JONATHAN KNIGHT.

Coml issued 6 June, agreeable to above.

COL. JAMES KENAN TO GOV. CASWELL.

[From Executive Letter Book.]

DUPLIN, June 6th 1778.

SIR:

The volunteers and Drafts for this County have elected Mr. Theophilus Williams their Captain, in consequence of which he waits on your Excellency for a Commission, at the same time is somewhat doubtful of his appointment being incompatible with his commission as Lieutenant in the regular service. I shall be much obliged to your Excellency to inform me by Mr. Williams if there being any probability of money being got for the men in a short time.

I am sir with due respect your Excellency's most obedient and very humble servant.

JAMES KENAN.

GEN. WM. BRYAN TO GOV. CASWELL.

[From Executive Letter Book.]

CRAVEN, June 6th 1778.

SIR:

Agreeable to your Excellency's directions, I have wrote to the several Cols of my Brigade, and requested them to appoint a

man in each County to furnish provisions for the men raised in your County, till they arrive at Halifax as there are but few from any one County on Tar River. I have advised the Cols to purchase and deliver to the officer who may march with the men as much as will serve them up, and have it carried on in a cart. The Carteret Drafts is to join the Craven, and both march by way of Kingston, but cannot advise what day they will arrive, perhaps by the 10th.

As there are no Guns as I know of in this District fit for service, belonging to the public I have not taken any steps about that matter, but leave it to the several Cols to comply with the Law as nigh as they can. However as good Guns are so very scarce in this State, I think it would be wrong to send any out, especially as they would not be such as would be received in the Continental Army. Mr. Green from New Bern this day says an account is come to Town, of the arrival of a large ship from France in Cape Lookout, with dry Goods. That a fifty Gun ship is also arrived in Chespeake Bay with Continental Stores, and a large Ship from France with a valuable cargo of rich silks, Gause, Lace, &c., &c., &c., &c., a present from the Royal Ladies of the French Court to the Ladies of Virginia. That General Washington lately surprised and made prisoners of the whole of the 44th British Regiment, as they were cutting wood in Jersey, also an account of the Capture of a Guinea ship with 900 slaves in the mouth of the River St. Lawrence. The above several pieces of news you have as I received it this day from Capt. Daily.

I am sir your Excellency's mo. ob. humb. servt.

WM. BRYAN.

COL. JOHN BRYAN TO GENL. WILLIAM BRYAN.

[From Executive Letter Book.]

NEWBERN 6th June 1778.

SIR:

I recd your letter in favor of Hardy Coker and upon examination find it entirely unreasonable to compel him into the service of his country tho' am at a loss to know what to do for him. Should be exceedingly glad to join in anything you might think

sufficient to discharge him. Shewed your letter to Col. Dawson who was fully of the opinion that he ought to be discharged. I am Sir, Your mo. ob. huml. servt.

JOHN BRYAN.

GOV. CASWELL TO COL. CHARLES MEDLOCK, ANSON.

[From Executive Letter Book.]

Dobbs 6th June 1778.

Sir:

A petition signed by Lott Tallent, John Higoon, William Vanderford, and John Flake has been laid before me, setting forth that an Election in Capt. Wilson's company of your Regiment, Samuel Spencer, John Childs, David Love, William Love and John Hardy were agreeable to a late Act of Assembly chosen to serve as Soldiers in the Continental Battalions raised in this State, that the balloting was fair appears by the affidavits of Capt. Wilson and James Terry and a return offered you, who refused to receive it, and the next day you held a Court Martial, set aside the said election and appointed the said petitioners to serve as the quota of the said Company from the State of which facts and the said affidavits it appears a manifest breach of the Law has been made by the officers. Let the people have acted ever so ungenerously in their choice the power of judging was by the law left with them, and where a choice was made in the manner it appears this was (strictly agreeable to the law) no power I apprehend is lodged with the officers to dispense with it, I therefore recommend to you, in the most earnest manner to send on the persons so elected or their substitutes. Such a measure will prevent further disputes and prevent a complaint which those people seem to have justly founded from being carried farther. However, this is mere matter of advice, and if you and your officers choose to contest the matter further, you must appear before me in Council at Kingston the 15th day of this Instant to answer the said allegations set forth in the petition aforesaid. But I flatter myself the regard you and they have for the important cause we have in hand will stimulate you to do that justice

to those individuals which they are entitled to, and prevent the delay which otherwise must follow. I am Sir,

Your mo. ob. servt.

R. CASWELL.

GOV. CASWELL TO COL. JAMES HOGUN, COMMANDING OFFICER OF THE C. TROOPS OF NORTH CAROLINA.

[From Executive Letter Book.]

KINGSTON 7th June 1778.

SIR:

The Volunteers and Drafts, from the several Militia Regiments to complete the Continental Battalions raised in this State, being about to assemble, I recommend to you the following measures to be pursued. That an officer be sent immediately to every County to receive such men, and march with them and conduct them to the place of the Rendezvous agreeable to the Act of Assembly for raising them; that you appoint an officer to attend at Petersburg, and another at Peytonsburg, to receive the men whose business it shall also be to give each man a certificate of the time of his arrival at either of those places and return you at such time and place as you may think proper to direct, a list of persons who do appear at the said respective places and the time of their appearance. The reason I require this must be obvious to every one who reads the Law, the men being to be discharged at the end of nine months after the time of their arrival at the places, so that so soon as 250 or 300 men arrive at Halifax, Petersburg or Peytonsburg, you order them on, and so from time to time, as they arrive, until the whole have marched, as I conceive the marching the men by small divisions will be most convenient in the hot and dry season, and may be a means of rendering more essential service to the States.

You see I wish you to remain until the last division marches. My reason for this is that I know that you will exert all your powers and influence to get the Troops on, and that perhaps might not be the case with every Gentleman, in the service, and as I do not know who might be left I cannot consent to your going on until the whole have marched. This I hope will not only be

excused by you, but also by the Commanding officer at Head Quarters, as my only motive is the good of the Service. Let me entreat you to inform me from time to time, until you leave Petersburg of your proceedings in this very necessary and essential Business and the numbers you receive from the different Counties, that I may use my utmost endeavours to get forwarded all delinquents. I am with very great regard and esteem Sir,

Your mo. ob. Servt.

R. CASWELL.

GEN. WM BRYAN TO GOV. CASWELL.

[From Executive Letter Book.]

Coor Creek 7th June 1778.

Sir:

Mr. Hardy Cocker having been voted out of Capt. Joseph Allen's company, in the Craven Regiment under the late Law, for completeing our Continental Battalions, has represented unto me the unreasonableness of his being thus drafted for the following reasons; 1st, because he has only the use and sight of one eye, which in some measure renders him incapable of discharging his duty. 2nd, because he is sickly man and unable to undergo the fatigue of a soldier's life. 3rd, because he has the charge of a sickly wife and three small children, who have no means of support but the labour of him their parent and 4th because he has on a former occasion given ocular proofs of his attachment to his Country's cause and his readiness to the utmost of his Power to serve the public. For all which reasons, they in my opinion, being well founded, I think it would be the highest injustice to compel Mr. Coker into the service, under so many inabilities. Colo Bryan having also signified to me his entire approbation of his being discharged from this service. Do therefore beg leave to submit Mr. Coker's case to his Excellency the Governor, not doubting but his wonted humanity and Justice, will exercise itself on this occasion.

Your Excelly's humble servt

WM BRYAN.

GEN. ALLEN JONES TO GOV. CASWELL.

[From Executive Letter Book.]

June 8th 1778.

Sir:

As the men drafted to fill up our Regiments will be ready to march in a few days, and nothing will detain them but want of money to pay the Bounty, I submit it to your Excellency whether it would not be proper to direct the paymaster or deputy to repair to Halifax immediately, to comply with the engagement of the public on this Head. Something of this kind must be done as there is not money sufficient in the hands of the receiver of the public money to pay the soldiers bounty.

I am with real respect and esteem sir your most obedient servant.

ALLEN JONES.

To Gov. Caswell.

P. S. The money from the northward will be here in a few days, as we have advice of its setting out several days past.

A. J.

THOS. CHADWICK TO GOV. CASWELL.

[From Executive Letter Book.]

Beaufort 8th June 1778.

Sir:

I recd. your Excellency's favor of the 1st Inst. relative to Mr. John Pierce, and from the information that I am able to collect am apprehensive he has given your Excellency a wrong information relative to the time of his residence here, for I am credibly told that he has been a resident a year if not more in this county, must therefore consequently be subject to march, agreeable to his being balloted. The difficulty of obtaining clothing and other necessaries for the recruits, will put it out of my power to march them before the 1st Inst. at which time I purpose if possible to march them on. I am with due regard your Excellency's Ob. huml servt.

THOS. CHADWICK.

PREST. HENRY LAURENS TO GOV. CASWELL.

[From Executive Letter Book.]

York Town 9th June 1778.

Sir:

I had the honor of addressing your Excellency the 26th ulto, and since of presenting to Congress your Excellency's favor of the 6th Inst. being the 2nd of this date.

Within the present enclosure will be found the following Acts of Congress.

1st—27th May, for an establishment of the American Army.

2nd—28th for reforming the North Carolina Battalions.

3rd—4th June, for suspending or repealing the Acts of Assembly for regulating prices. This I believe Sir does not apply to North Carolina.

4th—6th for subsistence money to officers of Militia.

5th—8th for laying a General Embargo on provisions.

To these and to the enclosed P S. and more particularly to a separate circular which I shall deliver with this to Capt. Blount, I beg leave to refer.

Capt. Blount has been long detained from the Treasury, but the multiplicity of business there I presume has rendered an earlier dispatch impracticable. I am with my great esteem and respect Sir your Excellency's mo. ob. servt.

HENRY LAURENS
Prest. Congress.

MAJOR THOS. CRAIKE TO GOV. CASWELL.

[From Executive Letter Book.]

Edenton, June 9th 1778.

Sir:

I came here last Friday, and I think it my duty to inform your Excellency that Goods have fallen considerably in this place, and have fallen more in Virginia. A French 58 Gun Ship, and a Brig Merchant has arrived in Virginia, with very large Cargoes, and by letters, we are informed that they are purchased by the State.

Several vessels have arrived at the Bar, and a Sloop came up here on Sunday evening from France, she has on board, for the Cont. 13,000 pair of shoes, a large quantity of clothing, and a marble Monument for Genl Montgomery. We have letters from the Northward that 30 sail vessels have arrived at Boston, and many more have arrived in other parts of the Eastern ports. The Continental Agents are ordered not to purchase at present, upon the whole I believe that Goods will be more plenty than they ever were. I am the only purchaser at present. I have bought a few pieces of blue Cloth, and 1200 yds of linen, for the officers which I have sent to Halifax. Goods are very plenty in Town. I could have had any quantity, but I declined purchasing more than would be necessary for the officers who are to march. Doc. Savage and his partners have made a late purchase of 130,000, what they will do with the large quantity in hand, I know not. I am certain they will meet a sale for them in Virginia or to the No'wd.

I have the honor to be your Excellency's ob. hble. Servt.

THOS. CRAIKE.

CAPT. R. COGDELL TO GOV. CASWELL.

[From Executive Letter Book.]

NewBern, 9th June 1778.

Dr Sir:

I have sent you enclosed some more letters and newspapers; since my last, a vessel from France has lately arrived in our port with dry Goods and others arrived in Virginia. I hope these arrivals will be in a measure a means of lowering the price of Goods. Doctr. Savage is now in Town, and I dare say would be glad of his prime cost of his large purchase from Capt. Cottineau. I am told that by way of vendue has been talked of for the disposal of them by those enemies, extortioners, and monopolizers of every thing which distress our Country. I hope many Goods will be on hand, and silk in their pockets, a considerable part of the ill gotten gain.

This day I expect the trial of Davis and Gaston will be by the Doctr urged for trial which the people will put off if they can, and the trial of Davis' apprentice, enlisted with Col. Chariol. The disturbance of Davis' riot seems to abate, and is less talked of for the present, the contending parties Davis and Gaston, have brought their quarrel to a settled point, each racking their Brains and invention, how they may most injure each other. What a wretched Brute is man when abandoned.

The proclamation of Congress respecting our Privateers and armed vessels was sent me by Post. I gave Mr. Davis one to publish, and set one in the most public place. The address of Congress to the people of America at large was published in the Virginia papers, but Mr. Davis will insert them in his paper this week. Your Excellency will receive this by way of another letter, could wish I had something more entertaining to communicate for want of which must conclude with respectful compliments to Mrs Caswell, &c., &c., and am your Excellency's ob. Servt.

R. COGDELL.

PREST. HENRY LAURENS TO GOV. CASWELL.

[From Executive Letter Book.]

York Town 10th June 1778.

Sir:

Authenticated intelligence by Congress from many quarters leave it no longer doubtful in what manner the enemy mean to conduct their plan of conciliation.

Under delusive appearances of pacific acts, and Peace making commissioners, already their Military reinforcements begin to arrive and already they have commenced in many places with acts of cruelty and devastation.

Indian irruptions and warning arouses in the moment of dispersing propositions for Peace, evince the insidious designs of the Enemy, and demonstrate the necessity of wisdom in Council, of strength and vigour in the field. The former may be employed to distress the enemy greatly, by with holding from them the provisions of America, and the latter by quickly collecting powerful armies to take advantage of their present weakness.

In duty therefore to their constituents Congress earnestly call upon you Sir, and your State to adopt the most effectual and vigorous measures for reinforcing the Continental Army with your quota of Troops. The present moment unimproved may be productive of the most pernicious consequences, and the public safety demands strong and united efforts.

Experience has shown that the Marine forces of our Enemies enable them to secure for the support of their armies almost the whole of our exported provisions, and therefore Congress impressed with the necessity of preventing the supplies derived to our foes from this source, and desirous of supplying the armies of the United States, have upon mature deliberation laid an Embargo on provisions of all kinds, and they earnestly request the vigorous exercise of the powers of your State to carry into effectual execution this most necessary measure.

I have the honor to be with the highest esteem Sir,
your Excellency's ob. and mo. hble. Servt.
HENRY LAURENS,
Prest. Congress.

P. S. Private.

Your Excellency will find enclosed several copies of Lord Abingdon's speech & protest in the British House of Lords upon the acts of Parliament, for removing all the doubts concerning Taxation &c. these as I endeavour to do all papers proper for public information shall dispersed as extensively as possible.

I shall add copies of a late correspondence between Lord Howe, Sir H. Clinton, Genl. Washington & Congress.

Last night late I received a letter from Genl Washington. Sir H. Clinton had requested a passport for Doctr Ferguson Secretary of the Commissioners to attend Congress. General Washington demurred until he should inform Congress. This will be the subject of our consideration at 10 O'clock.

Doctor Ferguson was tutor to Lord Chesterfield at Geneva, where a young Gentleman with whom I correspond in Camp knew him intimately. He says "the Doctor is known in the literary world, and whose profound knowledge makes him very respectable."

"Preparations for abandoning the City still continue. The Enemy pretend 'tis impossible for them to continue there much

longer. They are not to march through the Jerseys, but on the Jersey side down the Delaware and embark at some convenient place." Very serious, pretty trifling; when they are gone I will believe them. I shall not be surprised if they march down and in one week's time return with all their ships and a reinforcement. Several Transports with 800 Troops are arrived at New York and more daily expected.

H. L.

JOHN CRAWFORD TO GOV. CASWELL.

[From Executive Letter Book.]

ANSON COUNTY, June 11th 1778.

TO HIS EXCELLENCY RICHARD CASWELL ESQ:

The bad proceedings of the people of Anson County obliged me to write in the following manner, to-wit: At a General Muster in May last in order to raise the Quotas of men by balloting was so unfair, it must incur the displeasure of every good subject to the United States of America. Capt. Wilson's company perhaps acted the most remarkable of any in the County, which every person may very justly say was directly contrary to the intent of the Law made in that case. They say the first proper person balloted in that company was Col. Samuel Spencer, one of the circuit judges, that can't possibly be at home till the last of this month. Mr. John Childs our Senator who have been at the expense some time ago with Mr. Thomas Childs in hurrying off and putting a man in the service to have cleared him from the war for three years. The third person was Col. Love, Entry Taker of this County, and at present not a healthy man. The fourth person Mr. William Love Sub-Sheriff and Deputy Surveyor and is now drafted in Capt. Hunter's Company which proceedings is similar to that of Capt. George Wilson's Company. The fifth person was John Hardy who lives out of the District, and not on the list as the Law directs. This County is inhabited by a party who opposes every measure, whether lawful or not. The petitioner Lot. Tallant has been in custody for counterfeit money and eloped from his wife, and at this time is no better than a vagabond. The rest of the petitioners are all idle bread eaters, answering the pur-

poses of base Tools which are very hurtful to our Country. I am only a spectator and think the proceedings of the Court Martial very just in respect to Capt. Wilson's Company, and their manner of balloting very unfair and cruel; which I hope no injustice will in the least be countermanded. Pray Sir excuse my freedom in writing to you, the case is so cruel no one can avoid it.

This from your humble obedient Servant.

JOHN CRAWFORD.

COL. JAMES MARTIN TO GOV. CASWELL.

[From Executive Letter Book.]

GUILFORD 11th June 1778.

SIR:

Agreeable to the late act of Assembly for the raising of one hundred and fifty six men in this County it appears by the several lists returned to me by the Captain, that only thirty one men turned out as volunteers; the remainder one hundred and twenty five were balloted for. The men are now embodying and insist on their bounty before they march out of the State, and as the Entry Taker of this County refused to advance what public money he hath in his hands I am under the necessity of sending the bearer Mr. Thomas Cook to wait on your Excellency for a sum of money that will be sufficient to pay them which by my calculation amounts to three thousand seven hundred and forty pounds. If the money is not to be had, should be glad of your direction in what manner I am to proceed. I am your Excellency's most dutiful and very humble servant,

JAMES MARTIN.

COL. THOS. HUNTER TO GOV. CASWELL.

[From Executive Letter Book.]

NASH COUNTY June 11th 1778.

SIR:

By this you'l find the County of Nash made up their Quota of men on the 22d ulto., viz: 29 volunteers and 27 ballotted and

appointed. I hope your Excellency will be able to remit me the Bounty by Robert Bignall Esqr. as we have promised to pay our men before they leave the County. The amount is 4250 Dollars. I am Sir, your mo. ob. Huml Servt,

THOS. HUNTER.

JACOB BLOUNT TO GOV. CASWELL.

[From Executive Letter Book.]

CONTENTNEY June 13th 1778.

SIR:

Have sent by Mr. Edwards 311 Shirts which is all we had to make, but what has been made and sent at different times to Halifax by Mr. Craike's order. Have on hand three barrels of good Pork packed yesterday with half Bushel salt in each barrel, if you are in want for the troops you may have it, price twenty pounds pr barrel, which is the price in New Bern packed or 18 pounds without packing. We have not had any accounts from Reading but must expect to see him in a few days from this I should think.

From Sir,

Your mo. ob. Servt,

JACOB BLOUNT.

CAPT. WM. WILLIAMS TO GOV. CASWELL.

[From Executive Letter Book.]

June 13th 1778.

SIR:

I have enclosed you Col. Pugh's certificate of my being chosen by the Bertie Company for their Captain, as we are preparing to march as soon as possible, I should lose time were I to do myself the pleasure of waiting on you, therefore hope it will be convenient for you to send in the Commission by the bearer.

I am with greatest respect,

Your Excellency's mo. ob. servt,

WM. WILLIAMS.

N. B. 76 men raised in Bertie County.

To His Excellency Richd Caswell Esq'r Gov. &c.

This may certify that Mr. William Williams was chosen by the suffrages of the Company raised in Bertie County Captain.

Given under my hand this 13th day of June 1778.

THOMAS PUGH L. C.

THOMAS ROBERTSON TO GOV. CASWELL.

[From Executive Letter Book.]

14th June 1778.

Sir:

I am at a loss to know how I am to get money to pay the Volunteer Militia, I balloted men in this County of Bladen, not having money to pay them, they will not march 'till they are paid. I have been informed by our members that the money in the hands of the land entry takers is to be applied to that use, but having very little of that money in hand in this County, it already being paid into the Treasury at the first of April, it is out of my power to have them paid, and I should be greatly obliged to you for instruction how and where the money is to be had, and also by act of Assembly for clothing the men, it specifies that distress shall be made on persons refusing or neglecting to furnish their proportional part, but it does not specify who is to be ordered to execute the distress, neither sheriff, Constable, Sergeants or myself, or any other person, and I should be greatly obliged to you for some instructions as speedily as is convenient, as we have some disaffected persons that I expect must be distressed for their part, and your favor in instructing me will greatly oblige your humble servant,

THOS. ROBERTSON.

I have about six or seven hundred dollars for land entries which I have paid some of them in part.

T. R.

DR. ALEX. GASTON TO GOV. CASWELL.

[From Executive Letter Book.]

New Bern 14th June 1778.

Sir:

I have enclosed a Deposition made in presence of W. Davis, by two other persons and myself, on the day the words were spoken, and my own deposition which I drew up since. I asked three Justices in Town, who were witnesses of his conduct, to draw up theirs, but believe they have omitted it. I refer you to Col. Leech's Testimony concerning the whole affair, and his behavior to me since.

I am Sir,

Your mo. ob. huml. servt,
ALEX. GASTON.

JAMES COOR TO GOV. CASWELL.

[From Executive Letter Book.]

New Bern June 14th 1778.

Sir:

Capt. Davis sends to your Excellency for a blank register for his vessel, if convenient please send me half a dozen; I will pay for them and those already received the next time I have the pleasure of seeing you in Town.

Thursday last the suit against Dr. Gaston for killing Mr. Davis's bull was determined in Court and the Jury found the Doctor not guilty.

The detachment from the Craven Militia are setting off for Kingston, I believe they are supplied with every necessary and are in order to march for the Grand Army.

I remain Dr Sir with the greatest respect,

Your Excellency's mo. ob. servt,
JAMES COOR.

W. DAY, HENRY TOOMER & ROBERT ELLIS TO GOV. CASWELL.

[From Executive Letter Book.]

WILMINGTON June 15th 1778.

SIR:

We being appointed Commissioners to repair Fort Johnston, are ready and willing to act, but are informed by Genl. Ashe, he had no money in the Treasury, and cannot inform us where we may. Unless your Excellency will be pleased to furnish us with your special order for the sum allotted by the Assembly to be paid when the money shall arrive from the Norward, the work cannot go on.

Your answer by Col. Blount will oblige your Excellency's mo. ob. huml. servt,

WM. DAY.
HENRY TOOMER.
ROBERT ELLIS.

GOV. CASWELL TO COL. JAMES MARTIN.

[From Executive Letter Book.]

KINGSTON 16th June 1778.

SIR:

Your letter of the 11th Instant, I received yesterday evening. I am amazed the entry taker in your county should refuse to pay over what monies he may have received for the public, agreeable to the act for raising the men. The money sent for to the Northward is not arrived but daily expected, 'tis not in my power to supply you, but as soon as the money comes the paymaster or his assistant shall be sent up to pay the Bounty and pay due the men; in the mean time if you can prevail on the men to march to Peytonsburg I would recommend that measure which will tend to facilitate the service, and you may assure them they will be paid off. However if you do not succeed in that, keep them together at the Court house or most convenient place until the paymaster

arrives, but of the measures you take you will do well to advise me, holding your men always in readiness to march at the shortest notice. I am Sir, your mo. obedt. Servt.

R. CASWELL.

GOV. CASWELL TO HON. JAMES IREDELL.

[From Executive Letter Book.]

KINGSTON 16th June 1778.

SIR:

Your favor of yesterday was delivered me this day, when I immediately laid the same before the Council, who with reluctance have advised my acceptance of your resignation of the office of one of the Judges of the Superior Court, which I also do with as much reluctance as you can well conceive, well knowing your place cannot be supplied by a gentleman of equal abilities and inclination to serve the State in the importance of that office. I am with every respect and esteem dear Sir, your most obedient servant,

R. CASWELL.

GOV. CASWELL TO GENL. ALLEN JONES.

[From Executive Letter Book.]

KINGSTON, 16th June 1778.

SIR:

Your favor of the 8th Instant I received this day by Capt. Powell. Mr. Blount the Deputy Pay Master General has held himself for some days past in readiness to attend the services you mention, but until the arrival of the money 'tis needless for him to repair to Halifax. I presume you do not expect on its arrival at Halifax that the Pay Master is to open the package and take out what money may be necessary for the purpose. Such a measure I cannot consent to, the money must issue from the Treasury, and I consider it to be my duty in consequence of the resolve

of the General Assembly, to see it placed there. However you may depend on every necessary step being taken to give despatch to this business.

I am lately informed the Drafts refuse to march, from the Westward, until they receive their bounty. I purpose sending the paymaster's assistant immediately there, (on the arrival of the money). I have had no account of the money being issued from the Continental Treasury, but daily look for the return of the messenger; if you should happen to see him, on his way, pray push him on directly to me.

I am with great respect and esteem, Dr. Sir, your most obedient servant,

R. CASWELL.

DR. ALEX'R GASTON TO GOV. CASWELL.

[From Executive Letter Book.]

New Bern 17th June 1778.

Sir:

The Bearers, five of the Militia belonging to Capt. Williams' company down Neuse, were detained, as they say, for their clothing, and did not arrive in New Bern 'till Monday, and their clothing came up only last night, and as they say they have not got any Blankets, and there is no cart to carry their luggage, they have left their pots and axes with Mr. Justice, and hope you will be pleased to help them to others in their stead. I am

Your very huml. servant,

ALEX'R GASTON.

GOV. CASWELL TO COL. ROWAN.

[From Executive Letter Book.]

Kingston 17th June 1778.

Sir:

The person who came from Cumberland to support the petitions complaining of an alleged draft, have been dismissed by the Council, that Board conceiving themselves not invested with powers,

to take the same into consideration, so that the whole matter must be with the field officers of your Regiment, so far as anything yet remains to be done. The money is daily expected. I have heard it is issued from the Continental Treasury; if you can prevail on your men to march they may depend on being paid off on their arrival at Halifax. I send you Sir, Militia Commissions, which will I presume answer your present purposes. I am Sir,

Your mo. ob. servt.

R. CASWELL.

GOV. CASWELL TO CAPT. MICHAEL QUINN 8TH N. C. BATTN.

[From Executive Letter Book.]

KINGSTON June 18th 1778.

SIR:

As no field officer in the Continental Service has attended nor any other officer particularly appointed to receive the detachment of Volunteers and Drafts from the Dobbs Regiment of Militia towards completing the Continental Battalions, I conceive it to be my duty to give you the following orders. That is to say,

1st. You are to receive the aforesaid Detachment from the commanding officer of the Militia, and with the detachments from Craven which you have already received, march them immediately by the shortest and most convenient Route, to Halifax. I would therefore recommend that which crosses Contentnea at House's Mill. Little Contentnea near John Tyson's Esq. and into the Tar River road near John Williams' Esq. by Tarboro' and then the direct way to Halifax. This I know is the shortest way and I think most convenient on account of water and provisions.

2d. You are also to take under your command William Alford who is appointed Contractor for your provisions with his wagon and such provisions as can conveniently be carried from hence, and on your arrival at Halifax he with one wagon and Team (Mr. Cobb's light wagon) is to be discharged, the two Baggage wagons from Dobbs to proceed with the detachment. Mr. Harvey with Col. Hogun's approbation, is appointed Quarter Master, and I presume will take the necessary steps for procuring forage for your Teams.

3d. I request you will inform the Craven men, from whom I had several applications for Certificates of the time of their discharge, that these certificates are entirely unnecessary, as the law, under which they are raised expressly directs their discharge at the end of nine months, after their arrival at the places of Rendezvous, and the only inducement I had to give the Certificates to the Dobbs men was a promise I had made to them at the time of their Enlistment, to remove the doubt which some seemed to entertain of the time of their continuing in service.

4th. You may also assure the Craven men (those from Dobbs having already received their Bounty from me) that they will receive their Bounty, and what pay may be due them before they leave Halifax, as the money is daily expected for that purpose. Col. Blount or his assistant will on its arrival immediately attend to discharge the same. Nothing further occurs to me at present, than that I recommend that no Furlough be given to any Soldier until your arrival at Halifax. This I think essentially necessary to the service and therefore can't omit it. I wish you an agreeable and speedy march. And am Sir,

Your ōbedt. servt.

R. CASWELL.

COL. THOS. BLAND TO GOV. CASWELL.

[From Executive Letter Book.]

PETERSBURG 20th June 1778.

SIR:

Having recd orders from his Excellency Genl Washington to superintend the Recruiting service of the Cavalry in the South parts of Virginia and in North Carolina and to forward as much as possible the equipping such cavalry as are or may be raised in the State, that they may be sent on with all expedition to camp. And Capt Cosmo Medici, who commands a Troop, (belonging to your State) of Continental Cavalry, having represented to me that he is at this time able to recruit and mount his Troops to the full complement could he be supplied with money, he has received orders from me to proceed with all expedition in purchasing horses, recruiting and equipping his Troops to which end

I think it my duty, that the service may not be delayed to make application to your Excellency to furnish Capt. Medici with about seven thousand pounds (Virginia currency) which sum he thinks will be nearly sufficient to accomplish the business, and to request that your Excellency will be pleased to give orders to the Clothier Quarter Master General, &c., &c., to assist him in equipping the said Troops. I have written to Congress, and to his Excellency Genl Washington, to request them to order a remittance to be made to refund such sums as may be advanced him by your State, for the above purpose, which I doubt not will be immediately done. Capt. Medici will account with me or the Auditor of your State (for his disbursements of such money as you may advance on this question) as your Excellency may think proper to direct. I am compelled to make this request to your Excellency, that the service may not be retarded, well knowing of what infinite consequence speedy reinforcements of Cavalry must be of to our Army. In full confidence that your Excellency will be actuated by the same principles, I remain with great respect your Excellency's mo. ob. Servt.

THOS. BLAND.

COL. JAMES HOGUN 7TH REGT. TO GOV. CASWELL.

[From Executive Letter Book.]

HALIFAX, June 23d 1778.

DR. SIR:

I waited on Col. Sumner the 13th Inst. and acquainted him with your orders, he promised to send a person off immediately to Col. Thackston and desired me to attend the lower Districts, but as I have seen a Resolve by Capt. Blount, wherein the Troops are to stop where your Excellency shall please to direct, and knowing that several of the Counties in the District of Hillsboro have marched, I have sent a man to receive your Orders, which shall be punctually obeyed.

The Troops from the Counties of Martin & Pitt are here. Halifax and Northampton meets this day, and I am informed that many others are on their march to this place.

I am Sir, with due respect your mo. huml. servt.

JAMES HOGUN.

PTOLOMY POWELL TO GOV. CASWELL.

[From Executive Letter Book.]

June 23d 1778.

SIR:

I have sent the warrant you gave me by Capt. Blount to have the money lodged with you or any other person as you may think proper. I have been very unwell since the day I left you, else I should have come at present myself.

I should be much obliged to you if you would let me know by the first opportunity whether the money is got or not, and if it can't be had you will be so kind as to keep the warrant until I can have the chance to get it again.

Sir, I am with great respect yours,

PTOLOMY POWELL.

COL. NICHOLAS LONG TO GOV. CASWELL.

[From Executive Letter Book.]

HALIFAX June 23d 1778.

SIR:

This day I ordered the wagons to take in their loads of clothing and leather &c., for the North agreeable to your desire. But on the arrival of Capt. Blount here this day from thence, who says there is an order of Congress for stopping the troops &c., I thought fit as matters are so circumstanced, to detain them 'till further order from you.

I have five or six wagons and teams in good order, and can be despatched at a moment's warning. If you find there is no occasion for them to go to the northward with the clothing, or that you'll have occasion for any of them you'll please give me such instructions as are necessary.

I purpose if they are employed in this State to send them to S. Quay.

I have been informed of a quantity of tent cloth and lead &c., at Wilmington. If you think fit, some of those wagons, (in case they are not ordered to the North) may be sent there for it.

The Invoice of the loads of three wagons under the care of Lewis Field is not yet come to hand, could wish to have it, and that you be pleased to let me have an answer by the bearer.

Your mo. ob. St.

NICHL. LONG, D. Q. M. G.

HON. JAMES IREDELL TO GOV. CASWELL.

[From Executive Letter Book.]

EDENTON, 25th June 1778.

SIR:

I had the honor of receiving your Excellency's letter of the 10th Inst and am exceedingly obliged to your Excellency and the council for the very polite manner in which my resignation has been accepted. The favorable sentiments of me Sir, which your Excellency has been pleased, with so much kindness to express, I cannot but regard with obligation and pleasure, though a more intimate knowledge of my own qualifications than it is possible for any other person to have, will not suffer me to doubt that I consulted my principles of duty and honor in relinquishing so awful an appointment. I shall ever embrace with pleasure any opportunity of serving my Country, where it is practicable with reputation, and shall feel a particular satisfaction in every occasion to express the great respect with which I have the honor to be Sir, your Excellency, mo. huml. and ob. servt.

JAS. IREDELL.

P. S. I now think it my duty to send your Excellency my commission, which I accordingly take the liberty to enclose.

J. I.

CAPT. WILLIS WILSON TO GOV. CASWELL.

[From Executive Letter Book.]

CASWELL, OCRACOCK 26th June 1778.

SIR:

I sent a Pilot and Crew to Beaufort, after our Tender, and have received her at this place, but in a most wretched condition, in so much that she has drove from her anchors twice, and once had near been lost. I got her along side the Caswell, having her down to stop her leaks.

The enemy (one ship, two sloops and a brig) take a peep at us every now and then, but are not disposed to venture in. Some few arrivals since last I wrote your Excellency. The Pilots of Ocracock have finally stopped bringing in or carrying out vessels, having entered into an association to that purpose, the reasons they give me for this extraordinary step is, that having no branches, they are liable to a penalty for taking charge of any vessel, and that they will not take branches because the Legislature have rated their pilotage at too low a price, being all in a clan. I fear our trade will be hurt by the infamy of these people. Pursuant to your Excellency's recommendation I have wrote to Richd Ellis, Esqr., to know if he will accept the agency for the ship as our Crew are beginning to be taken down very fast with scurvies attended with fluxes, and fish (the only fresh provision to be got here) Doct Cooley does not approve of in the latter disorder. I hear there is fresh beef to be purchased at Marmashite (?) which will be much cheaper, as well more wholesome for the crew. I have wrote to Mr. Ellis for a Barrel Brown Sugar a bag coffee, a Hogshead Rum, and a ditto Molasses, being quite out of those articles; will be exceedingly obliged to your Excellency to hurry the paymaster with our money, as we are all destitute of that necessary article at present and the whole in great want.

I am your Excellency's mo. ob. Servt.

WILLIS WILSON.

P. S. I am distressed for Commissioned officers having only Mr. Cheshire the Master of the ship on Board at present and not another officer I can depend upon, as a seaman. If your Excel-

lency knows of any, that would make a good second Lieut, will esteem it a favor if you'l commission him, otherwise please send a commission of Lieut. for Mr. Cheshire who is now Master and a good officer. Doctor Cooley waits on your Excellency, in want of medicines, he is an assiduous Gentleman in his duty to the sick; if Mr. Ellis declines to furnish us, I hope your Excellency will appoint, or order us the things wrote for to Mr. Ellis.

Your Excellency's ob. huml servt.

W. WILSON.

CAPT. J. TILLMAN TO GOV. CASWELL.

[From Executive Letter Book.]

NewBern, 27th June 1778.

Sir:

I take the liberty to acquaint your Excellency that Capt. Eason seems rather to decline acting as paymaster to the company stationed at Fort Hancock, and wish some other person had been appointed, I don't know who to recommend except Col. Thompson or Capt. David Hall. But as Thompson seems fond of attending to his own business, I think Hall would be the most suitable. I must also request your Excellency would send me some money to pay for provisions I have purchased for the fort, if it is fetched from the Northward will please to send it to Mr. John Green at NewBern. I can readily get it from him, £800 is what has been laid out for provisions. We have no news below at present, the cruisers take a peep at us sometimes.

I am your Excellency's mo. ob. Servt.

J. TILLMAN.

COL. THOMAS HUNTER TO GOV. CASWELL.

[From Executive Letter Book.]

NASH COUNTY, June 27th 1778.

May it please your Excellency.

SIR:

These may certify that Mr. William Lewis was chosen by the volunteers of Nash county, to command them as Capt. (after your Excellency's approbation) he is a young man very much approved of by the people, and hath served in the service of his county, when the Militia went to Wilmington. I am your Excellency's huml. servt.

THOMAS HUNTER, COL.

Com'n issued 29th June 1778.

GOV. CASWELL TO COL. HOGUN OF 7TH REGT.

[From Executive Letter Book.]

KINGSTON June 27th 1778.

DR. SIR:

Your favor of the 23d Instant, I have now before me, and am obliged to you for the pains and trouble you have taken. Give me leave to request that such of the Troops as arrive at Halifax be ordered to remain there until you hear farther from me. If any are gone on to Petersburg let them be halted there, and indeed those to the westward, I had rather should remain in their own counties, or wherever they may be collected, until further orders, as I consider myself under the necessity of taking the advice of the Council previous to my giving particular orders: That board is to meet here the second of next month, soon after which I will do myself the honor to write you. I am with very great esteem Dr Sir, your most obdt. servt.

R. CASWELL.

GOV. CASWELL TO COL. THOS. BLAND.

[From Executive Letter Book.]

Dobbs 27th June 1778.

Sir:

I had your favor of the 20th Instant, handed me this day by Capt. Medici, whom I would most willingly supply agreeable to your request, if it was in my power. But such are our Finances at present, that the sum necessary for him cannot by any means be advanced. We have lately been disappointed in receiving money from the Continental Treasury and I am much distressed thereby, having in full expectation of having it reimbursed, borrowed considerable sums for public use, on my own credit; such is the case, and if the public service is retarded in this instance, I wish it may prove the only one, occasioned by Congress failing to supply this State with the necessary sums required. I was empowered by the Assembly to draw on the Continental Treasury for 500,000 dollars, to defray the expense of raising and marching men from this State to complete our Continental Battalions. I did so and sent on for the money, the Messenger waited at York upwards of twenty days and then returned with 1-5 of the sum drawn for, which will not pay more than the bounty of 1000 Volunteers, when 2600 & odd were ordered to march, I ask pardon for troubling you with this state of the matter, but 'tis to show how deficient we are in the article of cash.

I am with great respect Sir,

Your most obedient servant

R. CASWELL.

RICHD. ELLIS TO GOV. CASWELL.

[From Executive Letter Book.]

New Bern 28th June 1778.

Dr Sir:

Capt. Willis Wilson of the ship Caswell, addressed me on the 26th Inst. advising that your Excellency recommended him to appoint an agent for his ship here, at the same time requested I

would accept of the appointment and if I did to advise your Excellency of it & furnish him by return of his barge (which is now waiting for the return of this express) with rum, molasses &c., &c., to the amount of 6 or £800 worth; I have given directions about some iron work he wants, and have engaged the other things, have no objection to the appointment provided I can now or in some short time, be supplied with some money as may be necessary for the articles he may want from time to time, which he says will be considerable. 170 men will eat and drink a good deal, and all those things ready money, and hard to get. Your Excellency will be so obliging as to write me fully on this head, and whether this or the State of Virginia is to be charged with the things, if the former, did not the Assembly appoint an Agent.

Please to send me two blank commissions for my Privateer Bellona & letter of mark the Chatham, the commission not being here cannot fill the Bonds, but you may depend as soon as they appear the needful shall be done. What part of the brig shall I charge you with, I do not think we can spare you more than ⅛, that will cost you £3000 or very near it, but you may have 1-16 or less if you choose it. I wish you could see her on the sails, which will be in three weeks at farthest, to meet the July fleet. Shall we not celebrate the 4th of July. The town is of opinion that we ought to have some of the public powder about 100 wt. will do; if you think with us, you will no doubt send an order for the purpose. I have but about 1500 wt. for the Brigs, should more be necessary will your Excellency lend me 5 or6 00 wt. of the public powder, I will engage to return it, before it is wanted. I am with great esteem Dr Sir, your mo. ob. Servt.

RICHARD ELLIS.

CAPT. JOHN EASTON TO GOV. CASWELL.

[From Executive Letter Book.]

BEAUFORT 29th June 1778.

SIR:

Mr. Gibble waits on your Excellency for what money can be spared me for making out for the several payments that I am appointed to. I have received a letter from Capt. Wilson who

informs me that he is much distressed for want of money. I am at a loss to know what sum may be necessary for him. It will take for the tender about £3170. I send by Mr. Gibble the warrant for £1000 for paying off the Independent Company, money is likewise wanting for the Fort at Lookout. The cruisers are constantly hovering about our coasts. Gutteridge with a brig. in company drove 2 vessels into a small inlet against Hunting Quarters last week. We have accounts from Charles Town of 2 Augustine Privateers being carried in there the 20th Inst. one of 12 the other 10 guns, by ship belonging to the Massachusetts State of 18 guns. I am with due respect your Excellency's obedient servant,

JOHN EASTON.

JOHN COOKE TO GOV. CASWELL.

[From Executive Letter Book.]

NewBern 29th June 1778.

Dear Sir:

Nothing but absolute necessity would have induced me to trouble your Excellency upon business at a time, when I know you have so many persons making constant application for your service as Commander in Chief. From the benevolence of your heart as well as the circumstances attending the occasion of this intrusion, joined to the claims of a friend, who always heretofore, and hopes always hereafter to be looked upon as such by you, I take the liberty of requesting you will indulge me in dispatching the bearer of this as soon as possible, (I should have said convenient) I have not now time, and if I had, it would be rather impertinent in a letter to your Excellency in an official character, to mention every circumstance relating to an unhappy dispute which has arose between the late purchasers of a schooner, now called the Race Horse taken up at sea by Capt. Pinkham without any human being or living creature on board, libelled in the Court of Admiralty, and condemned as a Derelict and sold as such by the Marshall of the Court of this Port to Messrs. Richard Blackledge & Co for the use of the persons who found her at sea, of which I am one of the number. Since she has been sold she has made a

trip to South Quay, and returned safe with a load of tobacco for Capt. Cottineau, and in her second voyage thither for a freight, was known by a sailor who had formerly been in her several voyages from Virginia. He lodged an information with the friends of one Bass Tanner and Compy, who I believe were the former owners, and the Collector at this instance stopped her at South Quay until the Marshall of the Court of Admiralty attached her. The property is to be tried at Williamsburg the 10th of next month, and the owners think it necessary I should attend the trial. I have therefore agreeable to the instructions of the Attorney General of Virginia to request that your Excellency will certify that Christopher Neale is Deputy Secretary in this State under James Glasgow Esq., and that due faith &c. should be given to his certificate with respect to the enclosed printed copy of the Admiralty law. That Lewis Welch and James Parratt are Justices of the Peace and duly authorized &c. as such in the County of Carteret at Port Beaufort. I have enclosed your Excellency the instructions of the Attorney General to me with the Commission to take depositions, by which it appears that the time and place must be distinctly ascertained and as Mr. Welch and Parratt have not, (altho I sent them the instructions) dated the deposition of Pinkham at Port Beaufort, agreeable to my appointment with Bass Tanner & Compy that they might give their attendance, I want a certificate that these Magistrates live in Port Beaufort. If you please Sir, let the certificate with respect to the Admiralty Laws being a true copy, be annexed to a distinct and separate seal from the other, about Capt. Pinkham and Capt. Eason's deposition and the account herewith sent. The first is to be made use of to show that the schooner was condemned agreeable to the directions of our Acts of Assembly, and the other will come in play upon a suit to be brought for damages for the detention of the vessel, repairs &c. in case they should recover her. The account of Capt. Eason which is sworn to I wish to be annexed to Pinkham's deposition. I have sent your Excellency and Mr. Glasgow all the papers respecting this matter, for your perusal that you may form an opinion how they ought to be authenticated, which go from this State. Please to send them back by the express.

At the request of Mr. Gormand and Doctr Hasten I have also sent to your Excellency a Copy of Mr. Batchelor's will certified to be such by Mr. Neale and must request that your Excellency will have the Copy properly authenticated to enable Mr. Ashton who is in Pennsylvania to qualify as Executor. I want the State Seal also annexed to that Copy, and have enclosed money for the payment of the several services to be performed. A memorandum of the expense of each respective service will oblige me. As I have not time to copy what I write I hope your Excellency will excuse this scrawl, especially as I rose before day was well broke to write in a hurry. It was my intention to have done myself the honor of accepting Capt. Caswell's polite invitation to dine at Kingston on Saturday next to celebrate the anniversary of Independency in company with your Excellency, but business has so turned up, that I cannot enjoy that pleasure. I have no news to communicate to your Excellency except what is contained in the following extracts from Capt. Eason's letter, dated at Beaufort the 27th June 1778.

"By a vessel arrived yesterday from Charles Town we have an account of a 10 or 12 Gun Sloop (Privateer from Augustine) being taken off Charles Town Bar, and carried in there last Sunday one of the ships belonging to Massachusetts State, that went to Charles Town lately; she went out on purpose and fortunately came across thro' a Decoy." Mr. Neale had not time to copy the Law, but has carefully examined the printed Copy with the original and annexed his certificate thereto which your Excellency will find on page 64. My best wishes are always for the health and happiness of your Excellency & family, and you may believe me when I subscribe myself your huml servt,

JNO. COOKE.

If your Excellency is acquainted with any Gentleman in Williamsburg as I am an entire stranger there, a line to them would oblige.

JNO. COOKE.

Mr. Cooke's acct for the papers specified in the above letter.

John Cooke Esq.— Dr.

To Testimonial to Mr. Bachelor's will.	
The Governor for the use of the State.	1.0.0
His Secretary for testimonials 5 shillings, Seal 2 shillings 8 pence.	7.8
	1.7.8
To ditto papers relative to schooner Race Horse. 2 a 27 shillings 8 pence each.	2.15.4.
	4.3.0.
chargd.	2.5.
	6.8.0.

CAPT. COSMO MEDICI TO GOV. CASWELL.

[From Executive Letter Book.]

Dobbs County June 29th 1778.

Sir:

I take the liberty of troubling your Excellency respecting my recruiting out of the drafts, and to request the favor of you Sir, to lay before the Council, whether I may or may not be allowed to enlist them for three years, or during the war. As many of them have made application to me on that head.

Should that Honorable board think it proper, for me to enlist them, agreeable to the above, will be greatly obliged to your Excellency to inform me of it by the first opportunity at Halifax.

I have the honor to be Sir, yours &c.,

COSMO MEDICI.

GOV. CASWELL TO COL. HOGUN OF THE 7TH REGT.

[From Executive Letter Book.]

Dobbs, 29th June 1778.

Sir:

On looking over the despatches from Congress by Capt. Blount with attention, since I wrote you the 27th Inst. I am induced to believe that Congress expects our Troops to be sent forward as

soon as they possibly can. I therefore recommend to you the forming the men as they arrive at Halifax into Battalions agreeable to the new establishment and lest you shall be at a loss in that respect, I send you herewith a Copy of the Resolution of Congress, you have no doubt men sufficient to complete one Regiment of non-commissioned officers and privates; if so I think you had better officer them agreeable to a Copy of another Resolve of Congress which I send you, and direct them to proceed to Petersburg where they may halt until further orders; and in order to enable me to give orders with respect to such others of the Volunteers and drafts, I beg you will furnish me immediately on receipt thereof with a return of the number of men assembled at Halifax, from what Counties, and the particular number from each County, distinguishing how many from each have received the Bounty, and whether they are Volunteers or Drafts, I also wish to know what officers have returned to this State and the names of those you propose to appoint to the first Regiment to march.

I write to you Sir, as being on the spot where business is to be transacted; perhaps it may be necessary to send this letter up to Col. Sumner, whose health I am told will not permit him to go abroad, which is one reason why I do not write him, but the prevailing one is that I fear it will be attended with delay for I fear also that I shall not be able to keep the Council together longer than Saturday next. I must therefore entreat you to let me have your return by that day if possible. Col. Sumner I flatter myself will excuse my making this requisition to you.

After obtaining the Council's opinion in respect to the Troops, I will send your orders by express. In the mean time if you have opportunity to write Col. Sumner in respect to these matters do, and obtain his approbation of the officers who are to command the Battalion first to march, those who are to command the other three I shall be glad to have recommended by him or you.

I am Sir, with great respect your mo. ob. servt.

R. CASWELL.

P. S. On recollection I think it would be as well, perhaps best, to hold a Court of Inquiry of the officers of the line, and therein recommend proper officers to command and officer the Regiments and if any have conducted themselves unworthily, to cashier

them. This method I know would remove every just cause of complaint and it is my wish that every worthy officer should be continued, and those who have not behaved altogether in character should be judged by their equals.

I am Sir, your mo. ob. servt.

R. C.

GOV. CASWELL TO CAPT. WILSON.

[From Executive Letter Book.]

Dobbs 30th 1778.

Sir :

Your favor of the 26th Instant I have before me, am sorry the Tender was not delivered you in better fix. Capt. Easton informed me, that at the time he purchased her, she was much out of repair, but that he intended to have her properly overhauled and fixed.

Your Pilots I fear are not governed by the best principles in their combinations; they have other views, than honest men ought to have, but nothing can be done respecting them 'till the meeting of the Assembly.

I have written to Mr. Ellis from whom I received a letter on the subject of the agency of your ship. I imagine he will accept it and supply you whenever the pay master can be supplied with money. He shall be ordered to attend and pay off your Crew.

I sent you Commissions for all the officers you required from NewBern, and without information whether the persons who were named in them refused to accept them or have conducted themselves unworthily, I cannot think of superceding their appointments.

I at present consider Dr. Cooley as a Surgeon in the service of the United States, if he is so, of course he cannot be appointed to your ship. However I shall lay your request regarding him before the Council who meet two days hence and inform you their Resolutions thereon.

I am Sir,

Your mo. ob. sesvt.

R. CASWELL.

GOV. CASWELL TO RIC'D ELLIS ESQ.

[From Executive Letter Book.]

Dobbs 30th June 1778.

Sir:

Your favor of the 28th Inst. I have before me, 'tis true I advised Capt. Wilson to appoint an agent for his ship at NewBern apprehending by that means he might be furnished with greater certainty and greater ease and convenience to himself and the ship's Crew. As to the money which may be expended for such necessaries as the ship may want, it is to be paid in the usual way by the Governor's Warrant on the Treasury and charged to this State only. The Assembly did not appoint an agent, I have received no Commissions or letters of Mark from the Gentleman who presides at Congress, I believe there are at New Bern one or two signed by Mr. Hancock, if these will answer your purpose when I come to New Bern you can be supplied, this I expect will be about the 10th July, and at the time if you have not disposed of all you purpose selling in the privateer, I will inform you what part will be agreeable to me to take, in the mean time, do not miss disposing of what shares you think proper.

I hope every son of Freedom who is also an American or Inhabitant of any of the United States, will cheerfully celebrate the anniversary of our Independence but I must be excused giving any order for public powder on the occasion and also for lending it on any other occasion, the reasons are obvious to every one, and on reflection, I know this must strike you forcibly.

I am dear Sir.

With great esteem

Your mo. ob. servt.

R. CASWELL.

GOV. CASWELL TO DR. COOLEY.

[From Executive Letter Book.]

DOBBS 30th June 1778.

SIR:

Your letter of the 28th Inst. I received, in answer to which, I must observe that at present I consider you as a Surgeon in the service of the United States, if you are so, of course, you cannot receive the appointment now applied for, and in that case I recommend it to you to go on immediately to Head Quarters where Surgeons are much wanted and indeed were so when you left Camp. If you are discharged from that service, I shall glad to be informed, your letter shall be laid before the Council who meet two days hence and what resolution they take respecting the appointment and medicines you shall be informed of.

I am, Sir,

Your mo. ob. servt.

R. CASWELL.

Cr by cash 16 Dollars. 6. 8.

W. CASWELL

1st July 1778. pr Lee

COL. JAS. KENAN TO GOV. CASWELL.

[From Executive Letter Book.]

DUPLIN July 1st 1778.

SIR:

The clothing and other things are ready for the Soldiers belonging to this county. They embody to-morrow at the same time declare they will not march until the bounty is paid them. I hope it is arrived by this, and your Excellency will direct me the most speedy way to receive it for them, as I wish them not to be detained here. If your Excellency has received any late news from the No'ward shall be much obliged to you to favor me with it by Mr. Amis.

I am Sir, your mo. ob. & very hume. servt.

JAS. KENAN.

PREST. RAWL. LOWNDES OF S. C. TO GOV. CASWELL.

[From Executive Letter Book.]

CHARLES TOWN SOUTH CAROLINA, July 2d 1778.

SIR:

I think it necessary to inform your Excellency that I have received letters from our Commissioner of Indian affairs for the Cherokee Department, Col. Hammond. That the Prince of Notley and some other head men from the valley and middle settlements at a meeting lately held with the Commissioners complained that many people of your State had lately run out Tracts of Land in their Hunting Grounds, that lies that way. Some have taken in Tracts close to their Towns. They loudly remonstrate against this grievance. The Commissioner writes that he examined the Traders on this head & that they confirm the Indians' information, and add further that several of the Towns were entered by the people of No. Carolina, and some Towns even over the Hills were surveyed by them; and that a Fort was building on the Northern parts of our Frontier. The Indians attribute this encroachment to a hostile disposition in the North Carolinians. At a time Sir, when this State is suffering the greatest inconveniences; and exerting their most extreme efforts, to supply the Indians with goods in order to keep them quiet, and disappoint the designs & machinations of the King's Superintendent of Indian affairs, who leaves no stone unturned to ruin our interest with those people, and represent us as combined to destroy them, it gives great uneasiness and concern to find our sister Colony, or rather some of her subjects, (for we cannot suppose a measure of such fatal tendency can have the countenance or sanction of Government) pursue a conduct that may frustrate our well meant endeavours and bring upon us all those evils and calamities which at so great an expense we are so assiduous to avoid. I have therefore Sir thought it my indispensable duty to lay those matters before your Excellency, not doubting but your Excellency will view them in a proper light, and interpose your authority to remove the unfavorable impressions this conduct had made on the Indians, and prevent any ill effects that may result from their harboring suspicions injurious to the

Honor of the American State, now in alliance with these people. This country have observed the most cautious conduct in respect to giving any umbrage to the Indians, and we are hopeful the State of North Carolina will judge it prudent to adopt the same policy.

I am with the greatest respect and regard Sir, your Excellency's mo. ob. and huml. Servt.

RAWL. LOWNDES.

Col. Chariol has permission to recruit here agreeably to your Excellency's recommendation.

J. W. STANLEY TO GOV. CASWELL.

[From Executive Letter Book.]

NewBern, 3d July 1778.

Sir:

When I had the pleasure of seeing you in NewBern I mentioned Capt. Tillman had made application to me for sundry warlike stores for the use of Fort Hancock. I have since delivered him to the amount of £915 for which I have his receipt.

This sum is carried to your Debit with me, in consequence of your engaging to see me paid.

I am with great respect your Excellency's mo. ob. hume. Servt.

J. W. STANLEY.

CAPT. R. COGDELL TO GOV. CASWELL.

[From Executive Letter Book.]

New Bern 4th July 1778.
Eve of the 3d year of Indepe.

Dear Sir:

By a person very lately from Charles Town we are informed that two English Privateers who have captured many of our Merchant vessels on our coast, have been taken and brought into Charles Town, and one of those Privateers was commanded by Capt. Osborne, I believe from Jamaica fitted out. The Capt. of the

other, I have heard his name, but it has slipt my memory. The manner of their being taken is as follows. They were seen off the Bar some days cruizing, at the same time a Twenty Gun Boston Ship was lying in the harbor of Charles Town, the Commander of which offered his service to go out and take those privateers provided the Inhabitants would man his ship, which they did, many Gentlemen of the Town were of the number, who went on board for the laudable purpose of enabling the Captain to execute the plan he proposed, at the same time fitted out a proper vessel and manned her also as a Tender to the ship. They proceeded in quest of the Pirates, in short time saw them, the Tender going pretty near, the two Pirates gave chase to the Tender, upon seeing the ship, they left the Tender and gave chase to the ship, seemed to stand for Charles Town Bar, her Ports all closed; the Privateers pursued the Chase, making all the sail they could until they run along side of the ship on each side when the ship opened her Ports and gave such a salute that the two Pirates were under the necessity to strike and being near the Inlet were in a few hours brought to an Anchor in Charles Town Harbor.

Since writing the foregoing account of the Privateers being taken, I have received a Charles Town paper wherein is mentioned the same account, under the Charles Town Head June 24th in the words following to-wit.

Government having applied to Capt. Smedly of the Connecticut State, ship Defence, to proceed on a cruize against some British Privateers on the coast. Notwithstanding his vessel had lately arrived from the West Indies, and was then performing Quarantine, he readily complied, and in company with the Sloop Volant, Capt. Daniel, who offered his vessel for the service, sailed last Friday. Before night they took the sloop Tanyers Revenge, Capt. Peter Bachop carrying 12 Guns and 72 men, and the sloop Ranger, Capt. Osborne of 8 Guns and 35 men both Privateers fitted at St. Augustine. The Sloop Active of 12 Guns, Capt. Powell, belonging to Liverpool escaped while the prisoners taken on Board of Bachop were being secured. The Defence her consort and prizes are all arrived. Commodore Gillion, Capt. Robertson, Capt. McQueen with several Masters of vessels and others went Volunteers on the cruize.

In celebration of this day great numbers of Guns have been fired, at Stanley's Wharf, and Mr. Ellis' ship three different firings from each from early in the morning midday and evening, and Liquor given to the populace. Stanley and Ellis seemed to vie with each other, in a contest who should do the most honor to the day, but Mr. Ellis had the most artillery.

The Post from the Northward brought no letters or Packets for you, or should have sent them, the Newspapers are now sent. My family are in health and hope yours are the same, with compliments to Mrs. & Miss Caswell.

I am your Excellency's mo. ob. Servt.

R. COGDELL.

GOV. CASWELL TO COL. HOGUN OF THE 7TH REGT.

[From Executive Letter Book.]

KINGSTON 5th July 1778.

SIR:

I received your favor of the 1st Inst. and thank you for the Lists you therewith transmitted to me. I must repeat my request that you call a Court of the line and recommend the officers which that Court shall think best qualified and inclined to serve their Country without having regard to seniority or other respects, this appears more necessary to me for a want of knowledge in the Council and myself of the persons who come within the above description, and also from a prevailing spirit among the officers of resigning their Commissions especially when they know they must immediately return to the Northward. This I beg you will do so soon as it may be practicable. In the mean time let the first Regiment proceed to Head Quarters as soon as it shall be found practicable and as I know you are desirous of going on yourself, I wish you to take the command of that Regiment in which the Council join me, and in that case take with you any officers of the line who shall be disposed to go with you, and whom you approve of so as sufficiently to officer the Regiment agreeable to the new establishment, a List of these officers you are requested to send me by express so soon as it is completed. I presume if

you march with this Regiment, Col. Armstrong will supply your place at Halifax with whom I will correspond on the important business of the Army until Genl. Sumner shall be able to do business, of which, when that happens, I beg to be informed. At all events the List of officers to be recommended must be sent me in time to lay before the Assembly at Hillsborough the 3d of August, when that Honl. Body meets.

The small sum of money sent here by Congress will not enable the Treasurer to do more than pay the Bounty, and other expenses of the first Regiment now ordered to march, the paymaster will this day receive the money, and proceed to Halifax to pay that money, and so much to others as he may have remaining. Pray let me hear from you as often as occasion may require.

I am very respectfully Sir,

Your Obed. Servt.

R. CASWELL.

THOS. BONNER TO GOV. CASWELL.

[From Executive Letter Book.]

Beaufort County 6th July 1778.

May it Please Your Excellency:

I am under constraint to inform your Excellency of a number of men of about thirty or more are combined together in this County for mischiefous purposes, they have caused four of the Drafted men to desert and declare publicly they will support them with their Guns, and are frequently giving out the most bitter oaths and imprecations to deter officers or others from apprehending them, they are daily committing acts of misprision of Treason, and persons that oppose them are always in danger of both life and property. Those are part of the mob who several times broke open stores for salt &c. In short they are become so outrageous and daring that every person who wishes well to his Country is insulted by them. To raise any part of the same County to apprehend them would hardly be practicable. If your Excellency will be pleased to advise me of the proper method to be taken to subdue these lawless fellows, it shall be strictly pursued.

On the 26th June I marched twenty-one men from Bath, on their way to Halifax with cart, provisions &c., left behind one sick man and four deserters. I am

Your Excellency's mo. Ob. hume. Servt.

THOS. BONNER.

WM. DICKSON TO GOV. CASWELL.

[From Executive Letter Book.]

DUPLIN July 8th 1778.

SIR:

I am informed there was an act passed at the last General Assembly to empower Clerks of the County Courts to issue Certificates of License for Marriage and that License does not issue from the Secretary's office, and as I have not seen the Laws, I am entirely ignorant how to proceed in respect of the form or the State Fees, I would therefore beg the favor of your instruction, and if there is any particular form to be used in making out certificates of License, I would be much obliged to you for a Copy of the form. I am Sir, with all due esteem

Your mo. Ob. huml. Servt.

WM. DICKSON.

P. S. I here enclose the fees for two administration Blanks, which please send by the Bearer and oblige.

W. D.

COL. JETHRO SUMNER OF THE 3RD REGT. TO GOV. CASWELL.

[From Executive Letter Book.]

CAMP NEAR HALIFAX 9th July 1778.

SIR:

I arrived here the 6th Inst. and agreeable to your letter to Col. Hogun, have formed the volunteers and Drafts of eleven Counties into a Regiment, which will nearly complete it to the proper establishment, but I cannot omit acquainting you that several

of them were mere Boys, and indeed some others who by no means ought to have been received, as the short time they are to continue, in the service, will not answer the good purpose expected—several Deserters have been apprehended of their Drafts, of which Counties &c I shall make you a return, and of other deficiencies as soon as possible.

Col. Hogun encloses you the names of the officers, recommended or appointed to this Regiment in nominating three subn resigned.

Your Excellency requests a Court of the line of officers to recommend such best qualified for the service of the Country. The officers to the eastward, many, I cannot get any account of. Col. Armstrong I shall despatch from this, immediately to take command at Peytonsburg, as there is not a full Col. in that department. Col. Lamb and Col. Sheppard will be here.

The Regiment that moves under the command of Col. Hogun for Head Quarters, will require some money to purchase forage, &c., &c., on their way. The officers have 6 or 8 months pay due them; I wish to receive your Excellency's orders frequently, which I shall pay the utmost respect to. I am Sir,

Your very hume. Servt.

JETHRO SUMNER.

COL. JETHRO SUMNER OF THE 3RD REGT. TO GOV. CASWELL.

[From Executive Letter Book.]

Camp Near Halifax 9th July 1778.

Sir:

Since I wrote you this morning I have seen Capt. Medici, who I am informed waits to complete his Troop with conveniences here. I am persuaded the length of time ere such necessaries can be furnished, his part of the horses here, will be of little service, this Campaign. The Board of War, I am informed by some officers just from New York were uneasy at his delay. If your Excellency thinks proper to give any order respecting him I shall see them executed. Such of the old Regiments' soldiers in Town, capable of marching, I have ordered to hold themselves in

readiness to march under Col. Hogun to join their Regiment, at Head Quarters, which I hope will be approved of by you. I have made free Sir, to enclose you the last Virginia paper. I am

Your very hume. Servt.

JETHRO SUMNER.

COL. JAMES HOGUN OF THE 7TH REGT. TO GOV. CASWELL.

[From Executive Letter Book.]

HALIFAX July 9th 1778.

SIR:

On the receipt of yours we immediately proceeded to the choice of officers, and here enclose you a list, and am sorry to say there were so many desirous to wait longer. On that they were told to proceed immediately or lay down their Commissions which you'l be made acquainted with hereafter.

We have appointed Lt. Col. Davidson, but he being at so great a distance, am at a loss to know whether he will act or not. Should he refuse Col. Sumner is to appoint one and send him after us.

By a letter I received yesterday, I find neither the Pay nor Muster Master will be here before Monday next.

As soon as the men are mustered shall give you a full account of both the firm and infirm of which the last are too many, some having sore legs and ruptures which render them incapable of duty.

You'll please to observe that Nathaniel Nutall is appointed by the officers as Q. M., who had acted in that capacity to the 9th Regiment, and was much approved of, we beg you to please grant him a Commission as ensign to enable him to act as Q. M. to this Regiment and you'll oblige Sir,

Your mo. ob. huml. Servt.

JAMES HOGUN, Col.

COL. JOHN WILLIAMS OF THE 9TH REGT. TO GOV. CASWELL.

[From Executive Letter Book.]

CASWELL COUNTY 10th July 1778.

SIR:

This is the third time I have wrote respecting the wagons your Excellency empowered me to purchase for the public, whether my letters or the answers miscarried I know not. I have never received any, therefore was under the necessity of employing Mr. Dubow to wait for you with this and return to me with an answer. I have been all over Orange, Guilford and this County, and find that good wagons and teams are not to be purchased for less than fifteen hundred dollars, and have engaged at that price, provided your Excellency thinks proper for me to give that sum, which bargains are to be void unless approved of by you.

I have directed Dubow to keep an exact memorandum of his travelling expenses in going down and lay it before you, and as I have not agreed with him on any certain sum, for going express your Excellency will please to pay him the usual price, which I am not acquainted with is the reason I trouble you with it.

I am Sir, Your Excellency's mo. ob. servt.

JOHN WILLIAMS.

GOV. CASWELL TO COL. JAMES HOGUN, HALIFAX.

[From Executive Letter Book.]

DOBBS 12th July 1778.

SIR:

I received your favor of the 9th inst. last night with the list of officers to your Battalion enclosed. Those gentlemen who wish to remain longer in the State, surely do not well consider the nature of the service they are engaged in, or consult rather their own ease, than the good of their country, in which cases I consider them as persons who may be spared from their appointments without much prejudice to the State. The paymaster promised a week ago to proceed immediately to Halifax, what may have been the cause

of his delay I know not. I shall thank you for the return you mention, but really I wish every man to be discharged who is unable to perform the duties of a soldier, and I fear there are too many among your Drafts, put there not from such motive as you or I approve and who will by no means answer the purposes intended. I send you enclosed a commission for Mr. Nutall to be Ensign in your Battalion.

Sincerely wishing you health an agreeable march and success in the Glorious cause of freedom.

I am very respectfully Dr Sir, your obedient servant.

R. C.

GOV. CASWELL TO COL. JETHRO SUMNER.

[From Executive Letter Book.]

Dobbs County 12th July 1778.

Sir:

I had your favor of the 9th Inst. delivered me last evening, and thank you for the attention you have shown to the measure by me recommended to Col. Hogun at the same time I confess I feel great uneasiness on being informed of the ill execution of the law for completing our Battalions. In many counties a most scandalous abuse has been made of the powers lodged with the people at large. All who are really unfit for service should be discharged, they will only be a cost to the Country, and far from being any credit to it. Who the gentlemen are that have resigned their commissions I know not, but suppose from the time when they have so done, such men can be spared. I do not expect you will be able to get all the officers of the line together, so as to make the recommendation of officers I mentioned to Col. Hogun but wish as many of them to attend as can be conveniently got together on the occasion; their determination will have greater weight and of course give more satisfaction to those concerned. Pray let me entreat you to furnish me with a return, agreeable to the determination of the officers, of the gentlemen to command or officer the other three Battalions in time to lay the same before the Assembly, which is appointed to meet at Hillsborough the third of August.

13—13

All the money that possibly could be furnished was put into the hands of the paymaster to pay the Bounty, and incidental expenses of the Regiment now about to march. With respect to Capt. Medici, I would recommend to you the ordering him on to head quarters immediately with such of his men as he can mount unless the orders he has received from Col. Bland are such as you do not wish to suspend. How far Col. Bland's power with respect to this small party of Light Horse may extend I know not, but am certain Capt. Medici can be of no service to the States by remaining here without being furnished with money, which he cannot be from this State at present.

The measure you have taken respecting the men belonging to the old Regiments and the appointment of the officers to the new is perfectly agreeable to me.

I am glad to find you so far recovered as to be able to attend to the duties of the field, but at the same time recommend to you not to fatigue yourself, in those duties beyond the bounds of prudence, the consequence to you and the State may be of prejudice. I will write you on every circumstance that occurs in which your command is in any way interested or concerned and shall always be glad to hear from you.

I am, Sir, Your mo. ob. Servt,

R. CASWELL.

CAPT. R. COGDELL TO GOV. CASWELL.

[From Executive Letter Book.]

NewBern 12th July 1778.

Dear Sir:

I received your favor of the 9th Inst, and sorry and astonished I am that Congress should pay so little respect to the officers of this State, in which they are so immensely concerned. The dignity of Congress is much degraded and disgraced in my humble opinion by the disregard they have discovered in their treatment of the State of North Carolina, and its Chief Magistrate. Their inattention to the matter communicated to them by your Excelency, their neglect to answer and sending back your Bill, pay-

ing part of the money, and taking no receipt for the same, surpasses the blunders of our Assembly. The hurry and multiplicity of business at the Treasury was very great, and very many blunders I suppose by means of such hurry. They lost but little time in attending to your Excellency's Commission. I think that the Council's advice was right for surely the province is in a very disagreeable situation in regard to our Recruits. There will be an absolute necessity for money to be made for the purpose of paying these men and other uses, perhaps 300 thousand pounds, when the engine is at work enough should be made. I expect you have an account by Mr. Ellis of the march of Clinton and his Troops through the Jerseys, where it seems many bridges have been destroyed and Trees thrown across the road to impede their march, and that Genl Washington is close upon them. I hope we shall soon have good accounts from them. I am much obliged to your Excellency for the Pennsylvania papers the contents of which is sufficient to convince me, that Independence will ere long be acknowledged by great Britain; the other papers shall tomorrow morning be forwarded to the respective owners.

I intend to accept your kind invitation to travel in company to Hillsborough, and shall accompany Mr. Leech up at the time you mention 'till then I hope you'l enjoy health, and Mrs. Caswell & family to whom please to present mine & Mrs. Cogdell's compliments.

I am dear Sir, your most assured & affectionate friend & obliged servant

R. COGDELL.

COL. JOHN HINTON TO GOV. CASWELL.

[From Executive Letter Book.]

WAKE, July 14th 1778.

SIR:

I am told your Excellency has been pleased to appoint me again to the command of this County. I am happy to find that my conduct heretofore has induced you to recommend me so warmly to the General Assembly to take notice of me again in

this instance. Believe me Sir, that whenever I can add to your happiness either in public or private character it will yield me additional Pleasure. As the Assembly is to meet on the 3d August, I wish to embrace the opportunity of extricating myself of the aspersions thrown out against me in respect to my conduct, and that I may be better prepared I propose to call a General Muster, and order a Court Martial, therefore have sent Dick down, and must beg the favor of your Excellency to send me the Commission, as Mr. Glasgow said it was made out, at Dobbs Court, at the same time may I ask the favor of your advice how to proceed.

Your Excellency's Mo. Ob. Servt.

JOHN HINTON.

HON. JOHN PENN MEMBER OF CONGRESS TO GOV. CASWELL.

[From Executive Letter Book.]

PHILADELPHIA, July 15th 1778.

DEAR SIR:

Col. Williams never gave me the certificate of our appointment until a few days ago when we parted, he choosing to be inoculated for the small pox at Alexandria. I was then hurried and did not examine it, not having the least reason to doubt but that the powers given to the Delegates were the same as usual, however on producing the commission it was so worded as to make it absolutely necessary that all the Members should be present, to give us a right to vote. As it may be a long time before Mr. Harnett arrives or Col. Williams gets over the small Pox, I have thought it my duty to write to you by express, requesting that your Excellency would be pleased to mention whether one Gentleman by the design of the General Assembly cannot vote, if so you will be pleased to send a Commission for that purpose, but if no alteration can be made, pray inform Mr. Harnett that it is absolutely necessary for him to repair to Philadelphia without delay. I find myself in a disagreeable situation which is the reason of my application to you. I was told that the Assembly expected that the Delegates were upon the same terms as formerly.

Mr. Gerard a French Minister is here. He is to reside in America. War is declared by France against England. A large Fleet from that Nation arrived at Sandy Hook several days ago and are gone to New York to take possession of the British Fleet there. We expect to hear of an action every hour.

General Washington crossed the North River, and General Gates is in the Neighborhood of King's Bridge with a considerable body. Our force will be upwards of 20,000. The French have 3 or 4000 men more than they want to man their ships, who may be disposed of as General Washington thinks proper, so that most Gentlemen are of opinion we shall soon be in possession of New York; in short, our affairs seem to be in as good a way as we could wish.

Mr. Deane is in Town. He is highly recommended by the King of France. I beg your Excellency will let me hear from you as soon as possible. I had almost forgot to tell you that General Lee is under an arrest. What the sentence will be is not known. However, he has made it a quarrel with Genl Washington, and of course you know he must fail. I shall write you by every opportunity.

I am with due respect your Excellency's

mo. ob. huml Servt.

JOHN PENN.

P. S. Some matters of very great importance will soon come in. It is the wish of the Southern States that North Carolina should vote, as I am confident that it was not the design of the General Assembly to alter our old mode of one Delegate representing the State. I hope your Excellency will send a Commission for that purpose. However the Clerks may have expressed the resolution of the Assembly, and we shall have nothing to do or say this year. Enclosed is a Newspaper. J. P.

HON. J. PENN TO GOV. CASWELL.

[From Executive Letter Book.]

PHILADELPHIA July 21st 1778.

DEAR SIR:

I wrote to you the 15th Inst. by an express informing you that by the Commission Col. Williams obtained it would require three Delegates to be present before the State could have a vote, and then indeed we must be all of one opinion. As there are several Gentlemen here that represent the State they belong to singly, and as I proposed to our Assembly that they would choose four Delegates confining two to be here at a time, which was not done, the Members saying they would proceed the old way, I am induced to wish that your Excellency would send a Commission giving all or either of us a right to vote until November, when I think the Confederation directs two. I mention this again lest some accident should happen to the express.

Monsr Gerard the French Minister is here, he is a very polite and well bred man, Mr. Deane says he has been our first friend in France. The French Fleet cannot get nearer to New York than Sandy Hook, on account of their size, they have lately taken thither Transports loaded with provisions going to Lord Howe. We had a curious letter from the Commissioners lately, calling upon us to know, by what authority we presume to make treaties with the King of France, or any other foreign power, declaring we had no authority delegated to us, for that purpose by the Assembly's of the different States, before or since the supposed confederation; the answer was short, "that the British Fleet and Army not being sent away, nor the Independence of America acknowledged, no answer be given." Enclosed is a Newspaper. I hope Sir you will forward a Commission by the first opportunity as desired unless you find some express resolution to the contrary, of the Assembly. Indeed I am perfectly satisfied from what I heard when at New Bern, that no alteration was intended. I feel myself in an awkward situation not having a right to vote, matters of importance will soon be debated. I have the honor to be with due respect your Excellency's most ob. Servt.

J. PENN.

PRESIDENT HENRY LAURENS TO GOV. CASWELL

[From Executive Letter Book.]

PHILADELPHIA 23d July, 1778.

SIR:

As I have nothing public in charge for your Excellency I must request you Sir to indulge me in this private cover for six Marine Commissions, Instructions & Bonds, and of a letter to Capt. Cottineau. The Captain applied to me in York Town for a commission for his own ship, and for one or two which he said he intended to equip and form a little squadron. Congress are not inclined to grant Commissions for vessels in distant States, unless especial descriptions are previously laid before them, your Excellency will be capable of judging of the propriety of Capt. Cottineau's pretensions, and will act as you shall think for the benefit of the public at this critical moment, 'tis highly probable demands will be made on your Excellency for all that remains after Capt. Cottineau shall be supplied.

I am told that no less than twelve prizes lately taken are advertised for sale on Tuesday next at Egg Harbour. Vice Admiral Count d'Estaing, has captured a much greater number at Sandy Hook, some of them armed vessels, and some very valuable, but we have not learned particulars. The Admiral finding his large Ships of too great a draught of water for the Bar of the Hook (after lying several days in view of the British Squadron within) sailed as we are informed for Rhode Island where he must be content to play a smaller game, than that which he originally had in view. If General Pigot and his Garrison shall be compelled to surrender, the thing will not be very inconsiderable.

I take the liberty of enclosing to your Excellency two of the latest Newspapers.

I am anxious that Congress should resolve to hold no conference with men who have dared to tempt them with bribes of Gold, and I trust that through the endeavours of some diligent Patriots in the House, those Men will be compelled to return. The bearers of their impeachment will be held up to the severe resentments of their much injured Countrymen, and their names transmitted

to posterity in characters which will render their memory infamous. I have the honor to be with great esteem & respect Sir,

Your Excellency's obedient servant,

HENRY LAURENS.

HON. TIM PICKERING TO GOV. CASWELL.

[From Executive Letter Book.]

WAR OFFICE, PHILADELPHIA July 23d 1778.

SIR:

Your letter of March 31st to Michael Hillegas Esq., Continental Treasurer, was presented to this Board, who ordered Wm. Henry Esq., their Agent for procuring shoes &c at Lancaster to pay the wagonage of the Leather shoes and Deer skins sent in two wagons to Zebulon Beard and Landrine Angurs, and purchased we suppose by the Gentlemen you mention Messrs. Lock & Smith. We have lately seen Mr. Henry, (who is a man of judgment and integrity) who says he paid the wagonage, but that the Leather was the worst parcel he had seen, a large portion of it was manifestly the refuse of the tan yard. If the States are charged the price of good leather for the whole, they will be greatly imposed on, by whom, whether the tanners or the purchasers, must be to us unknown. Had we received earlier notice of this we should have advised you of it.

We have the honor to be your Excellency's most ob. Servts.

By order of the Board,

TIM PICKERING.

HON. WILLIE JONES TO GOV. CASWELL.

[From Executive Letter Book.]

July 25th 1778.

DR SIR:

Mr. Penn informs me that he is in a whimsical situation at Philadelphia, the Commission for the Delegates from this State, being so worded as to make it necessary, that all three of them should

be in Congress to entitle this State to a vote. Mr. Penn wishes to have the Commission altered and has desired me to express my sentiments on the intention of the Assembly. In the beginning of the last session it was the intention of the Assembly that three Delegates in behalf of this State, should constantly attend in Congress, and therefore it was voted that five should be elected, but as they afterwards resolved that three only should be elected, so it was then their intention that any one of the three should be entitled to vote in the absence of the others, for if this were not the case this State, must necessarily be often deprived of its vote in Congress.

I most sincerely congratulate you on the arrival of a French Fleet and I am, Dr Sir, your mo. ob. Humℓ Servt,

WILLIE JONES.

HON. TIM. PICKERING TO DR. THOMAS BURKE.

[From Executive Letter Book.]

War Office Philadelphia July 26 1778.

Sir:

Your letter by Mr. O'Neal, with the draught in his favour, & by Mr. John Taylor, have come to hand. Mr. Taylor has got all the horses (sixty-five in number) safe along; but they are in sad plight; so that it is impossible to form a certain judgment concerning them. If they were in flesh we believe they might answer the purpose for which they were intended. We have paid Mr. O'Neal & Mr. Taylor; and by the latter sent you six hundred and fifty-three dollars, the amount of your disbursements.

From the information we received, we expected the horses would not have cost more than two-thirds the money. We hoped also that Capt. Medici & his men would have brought them on, & saved the expense of drivers; but we suppose he was not within your reach. As the horses are so dear, we choose you should immediately stop all further purchases on our account; and contrive, if possible, to send the remainder of the horses by some of the North Carolina Dragoons (appointing if you judge it necessary, one trusty man to take the over sight of them) of whom there are enough in your State, who, as well as Capt. Medici, should have been here long ago. The conduct of this gentleman is unac-

countable. 'Tis near a year since he was furnished with a large sum of money, to purchase horses, to mount those Dragoons; but he has done very little towards it. Some months ago the board wrote to him to come and settle his accounts; but we have no answer. We enclose another for the same purpose, which we pray you will be kind enough to get conveyed to him. We have not ordered him to take charge of the residue of your horses to bring them thither, because for his past conduct, we are not satisfied it would be safe to give him this further trust.

You will be pleased to accept our thanks for your care and trouble in this business.

We are Sir, with great regard your most obedt. Servts. By order of the Board,

TIM. PICKERING.

Enclosed is a duplicate receipt of the money paid Mr. Taylor as you requested.

CAPT. WILLIS WILSON TO GOV. CASWELL.

[From Executive Letter Book.]

New Bern 28th July 1778.

Sir:

I left the Caswell at the Bar last Sunday, and got to this place yesterday, hoping to see your Excellency in Town. Doctr Cooley is desirous to know whether he is to be continued or not, in the Caswell, respecting which I will be proud to have orders, by the return of the bearer, I have lately been acquainted with Mrs. Wilson's being very unwell. Chief of my business to this place was to obtain leave of absence for a short time from your Excellency to pay her a visit, which I should not request on any other account but the above, I therefore hope to receive permissions from your Excellency by return. Mr. Cheshire, my Master, is a trusty Gentleman to whom I shall leave the charge during my absence, which shall be short. Shall be proud to know when the Paymaster may be expected, as I may have my pay rolls properly made out to the time. Nothing has happened at the Bar worth notice. I am with great respect, your Excellency's Ob. huml. Servt.

WILLIS WILSON.

PRESIDENT J. RUTLEDGE OF S. C. TO GOV. CASWELL.

[From Executive Letter Book.]

CHARLES TOWN August 3d 1778.

SIR:

The Bearer, Baron de Bonstetien, who came from France to this place, in his way to Philadelphia, with a view of offering his services in the Military Line, to Congress was recommended to me, by a principal House at Nantes, as an officer of experience and merit. He requests that I would make this recommendation known to you, and therefore I give you this trouble. I have the honor to be with respect and esteem Sir,

Your mo. ob. Servt.

J. RUTLDEGE.

WM. THARPE TO GOV. CASWELL.

[From Executive Letter Book.]

SALISBURY 5th August 1778.

SIR:

Your favor covering a Commission which your Excellency honored Col. Lanier, Major Winston and myself with for holding a treaty with the Cherokee Middle and Valley Settlement Indians came to hand early in May, and was immediately communicated to the other two Gentlemen, who were of opinion with me that the proposed treaty could not be held consistent with the Honor of Government, unless the then Session of Congress made farther provision, and in consequence thereof that your Excellency would give us farther advice. However it appears that nothing was done, I therefore take the liberty to inform your Excellency that it was our opinion, that before another treaty is held, a penal law is necessary for the punishment of those who violate the articles, of the former: otherwise we may be upbraided by the Indians for giving what they call lieing Talks, on that occasion. If we are under such disadvantages as not to be able to support the veracity and dignity of the Government, we think it better to refrain from treating.

Another circumstance that is discouraging is the small sum which Government hath proposed to enable your Excellency to hold the Treaty. Considering the present enormous price of Beef, Flour, Wagon Hire, Tobacco, Whiskey and many other things which may be necessary in order to support the character of Government with those people, if we had proceeded to hold a treaty our just and reasonable claims would have amounted so far above one thousand pounds which doubtless might have surprised the Legislature.

I can assure your Excellency on my own part that the sole motive for delaying the treaty is the preservation of the honor and interest of Government.

As the fall of the year is the most convenient season for holding a treaty, (which I conceive exceedingly necessary) and the Assembly has unexpectedly met, perhaps such measures may be adopted as may enable us or any that your Excellency may think proper to appoint to hold a Treaty. If so with due submission I mention the propriety of your Excellency's addressing a Talk to those people by way of introduction to the business and sending therewith a white Wampum Belt, that (according to their figure) may reach from you to their beloved men. Sir, your most ob. huml. servt.

WM. THARPE.

PREST. RAWL. LOWNDES OF S. C. TO GOV. CASWELL.

[From Executive Letter Book.]

CHARLES TOWN August 6th 1778.

SIR:

I had the honor to write to your Excellency on the 2d July last concerning the complaint of the Cherokee Indians on account of their lands being run out by some people from your State, since which I have heard from the Nation, that several of their people taken prisoners during the late War by the No. Carolinians have been sold for slaves, as they say from one to another like cattle. By the treaty which we concluded with these people, it was stipulated that the Captives on each side should mutually be

given up, in consequence of which we have given up all the Indians which we took and they have released many of our people, which were in their hands. Two Poor unfortunate Girls excepted, of the name Smith and Right, whose Fathers were killed and themselves carried off are now at Pensacola. On my demanding these unfortunate creatures of the Indians they allege in their excuse for not bringing them, in, that many of their people are still in captivity, by which treaty they were to be delivered up and that we should not demand the literal execution of the treaty on their part while we commit a breach of it ourselves. This circumstance furnishes them with a plausible pretext for delaying the delivery of these poor wretches to their friends and relations and stops our mouths from urging it with such force as we might otherwise do. The poor Girls, one especially, is of a very reputable family, has Brothers in the Army, and they are entitled to every endeavour on our part to procure their enlargement. It is for that purpose that I now trouble your Excellency, with the first information which I have received which thwarts the recovery of these Girls or at least covers the Indians' excuses for not being more active in securing them from Pensacola. This State will pay any consideration to the holders of those Indian captives for their purchase in order to remove every just objection that may lie in the way of recovering these two Girls out of the hands of the enemy, English or Indian, being bound by every consideration of honor and humanity to redeem them.

You will be pleased therefore to settle with the proprietors the terms on which they will part with their possession, and also inform yourself of the number of Indians thus claimed in your State, as I flatter myself every man will give his utmost assistance in a matter that will be productive in its issue of the deliverence of such objects of compassion as must interest every one, in their favor who has the least sentiments of humanity, from which motive Sir, I am induced to trouble you and which I doubt not will be a sufficient apology for me to your Excellency.

Lieut. Col. Bonsteller has applied to me within these six days frequently, and notwithstanding my utmost endeavours to assist him, he has not yet been able to procure a wagon to carry on his Baggage. The unfortunate and fruitless expedition into Florida, has rendered wagons so scarce and difficult to procure that there

are not in all about town a sufficient number for the ordinary demands of the State. The gentleman is extremely anxious to be gone, and has just left me to see what better success he can meet with, by an order I have given him. I will give him all the help I can, but our laws have not authorized pressing, indeed at another time they might have been procured by the ordinary means of hiring tho' at an extravagant price.

I have the honor to be with great regard Sir, your Excellency's most hume. Servt.

RAWL LOWNDES.

GOV. CASWELL TO COL. LOCKE.

[From Executive Letter Book.]

State of North Carolina,

Richard Caswell, Esqr. Governor and Commander in chief of the said State. To Francis Locke, Esqr. Colonel of the Rowan Regiment of Militia.

Whereas a petition has been exhibited to me in Council against Capt. John Johnston of your Regiment, complaining of his undue and illegal execution of his office as Captain, I therefore, (in pursuance of the advice of the Council of State) require you to call a Board of the officers of your Regiment to enquire into the conduct of the said Capt. Johnston in the premises, which Board after hearing the testimony of witnesses as well on the part of the Petitioners as of Capt. Johnston are to reduce the same to writing with their opinion respecting the premises, and return the same with the Petition herewith delivered to me in Council certified under the hand of the President of the said Board as soon as the same is practicable.

Given under my hand and the seal of the said State at Hillsborough the 10th day of August Anno Domini 1778.

R. CASWELL.

GOV. CASWELL TO JOHN PENN ESQ., PHILA.

[From Executive Letter Book.]

HILLSBOROUGH 13th August 1778.

SIR:

Your letter of the 15th ulto I received about a fortnight past, and as the General Assembly was appointed to meet here the third Instant, I detained the Messenger until your letter should be laid before that Body, the Commission I have furnished Col. Williams with, being strictly agreeable to the appointment of the Assembly. I did not consider myself at liberty to grant, by commission any powers not warranted in the appointment. The Assembly met the 8th and this day entered into the Resolutions of which I enclose you a copy. I also enclose you a Commission agreeable to the said Resolutions with the addition of two gentlemen chosen by the Assembly, your messenger has received here one hundred and twelve and an halfdollars, to defray his expenses whilst here and on his return.

I flattered myself when you assured me at New Bern, that the sum wanted for raising & marching the men voted to complete our Continental Battalions, could be had from the Continental Treasury, that in a week or ten days after application to Congress that the same would have been obtained, and took measures in behalf of the public accordingly. But to my great mortification and disappointment the messenger which I sent, after waiting three weeks upon Congress and the Treasury, returned with one-fifth of the sum drawn for, and without the least intimation why my Bills were not answered, for they were returned to me, or what sum was sent, indeed I was not honored with a scrape of a pen, on the subject, tho' I had repeatedly requested every assistance, and dispatch to be given the messenger and furnished every document necessary. The sum sent not being more than sufficient to pay the Bounty of 1000 Volunteers, the exhausted State of the Treasury here left us no alternative; a call of the Assembly became absolutely necessary, and the wisdom of that Body in their late session had lodged a power in the executive for that purpose.

You now Sir know the inconveniences that have arisen, and may easily form some judgment of the injuries the State will sustain, the disappointment and fatigue of many individuals, occasioned by a reliance on your word; however enough of this for the present, perhaps you may hear more of this disagreeable subject after the rising of the Assembly.

One Regiment only of the new raised men has been completed, and marched under the command of Col. Hogun, the others still remain in the State for want of money to enable them to march, and it is now so late, that little is to be expected from them, 'tis not unlikely that the Assembly may direct them to be disbanded. Mr. Harnett I have no doubt has arrived at Congress before this and I hope Col. Williams will have recovered of the small pox, and have joined you before this arrives. My most respectful compliments attend you and them.

I am Sir, your mo. ob. Servt.

R. CASWELL.

[From Executive Letter Book.]

STATE OF NORTH CAROLINA,
IN THE HOUSE OF COMMONS, 14th Aug. 1778.

The Committee appointed to take into their consideration divers Letters and papers containing a charge in behalf of the Continental Congress against Thomas Burke one of the Delegates of this State, together with Mr. Burke's state of facts and observations offered to the Assembly in justification of himself, beg leave to Report.

That upon an attentive and dispassionate revisal of the subject matter proposed to them, they observe with extreme concern that it originated from a circumstance so trivial in itself that nothing but the consideration which Congress during a debate of near fifteen days bestowed upon it, could have swelled it into the importance, which at present it assumes.

That the indignity which Mr. Burke is accused of having offered to Congress, if any indignity had been intended by him, must have been to the individuals and not to the Congress as such, as the

Criminality alleged is said to consist principally in Mr. Burke's having withdrawn himself and thereby broke up the Congress and thereby prevented their proceeding in the public business.

That the expression charged by Congress to have been made use of by Mr. Burke to their Messenger cannot be vindicated upon the strict rules of Courtly Manners and refined politeness, but considered as the sudden, unpremeditated effusion of fatigue and indisposition, made after a debate which had continued the greatest part of a day, until 10 o'clock in the evening in which the passions has been much interested and agitated and both the mind and the body almost exhausted, it will not justify any asperity of animadversion. Intended as Mr. Burke alleges it was for a private gentleman from whom he supposed the message had been addressed to him, it was not a matter in which the Honor of the Public Council was concerned, but supposing the possibility of a contempt to Congress, when Congress did not exist, Mr. Burke's repeated declarations that he had no such design have removed every cause of contempt on that score.

But as the consequences which this incident led to, are of a nature much more interesting than the occasion of them, and require that the Assembly should be immediately explicit upon a question of such capital magnitude, your Committee further report that the powers assumed in the case of Mr. Burke and maintained by Congress as their right are such as this State can never concede to them, without relaxing their own independence and giving up the exclusive control which they have over their Representatives in Congress. That this State has a right and will ever be ready when occasion requires it to control, censure, punish and remove their members, and should Congress arrogate to itself these, or any part of these powers, there is no line described when and to what extent this authority might be exercised.

It may be stretched to defeat the independence of this State, to an invasion of its internal policy and to the total destruction of its due weight in the Council of the United States.

That although evils like these are not to be apprehended from the Gentlemen who at present compose that respectable body, although their wisdom and Integrity guard them from every suspicion of extending their doctrines to baneful practices, yet these Gentlemen share in the common frailties of nature and must quit

the stage of Life and their places in Congress to men who may be disposed to improve dangerous precedents to tyrannical purposes and wield a weapon which has been innocent in the hands of their predecessors to the destruction of the good people of the United States.

If at any future distant period, a majority of Congress should be found bold and wicked enough to attempt to suppress the freedom of debate in any Representative of the State, who should heartily stand forth in support of the Rights of his constituents, and proceed even to Censure and punish at their sovereign will and pleasure, the member thus in the way of the views of a combined majority may be struck from a share in the public Councils, and his judges who in this case would be judges, party, and executioners, would be at large to do an irreparable injury to his Constituents, who no longer would have any share in controlling their operations.

The Assembly of this State will be ever ready to open their ears to the complaints of Congress against their members and punish their guilt when established with impartial severity. They are very sensible that Rules of Decorum may be necessary in the best regulated Assemblies. That these must be relaxed or strengthened as the members who are subjected to them observe with respect to each other an habitual practice of good manners and reciprocal civility. That they have the fullest confidence that the members of this State will not be deficient in this respect, but will unite with their brother Delegates to strengthen that happy bond of harmony in private intercourse and in the public Councils, which has advanced the affairs of America to their present prosperous situation and holds forth such a promising prospect of a happy conclusion.

WM. HOOPER,
Chairman.

The House taking the said Report into Consideration, Resolves, That they do concur therewith.

Extract from the Journal of the House of Commons only.

JOHN HUNT,
C. H. C.

HON. CORNS. HARNETT TO GOV. CASWELL.

[From Executive Letter Book.]

PHILADELPHIA August 27th 1778.

SIR:

I embrace the first opportunity since my arrival to throw on paper a few lines to your Excellency which I am obliged to do without method or correction. Col. Hogun is just arrived with 500 and odd men, and will I believe immediately proceed to Head Quarters at White Plains. I take the liberty to enclose some of the last papers. Our affairs at Rhode Island seem to wear a promising aspect. You will find that the French Admiral the Count de Estaing after beginning an attack upon the enemies' Fortifications, had silenced two of their Batteries, when an English Fleet appeared off the Harbor in the evening which obliged the Count to proceed to sea the next morning to engage them, and he was seen at 11 o'clock in pursuit, and the enemy flying before him. Genl. Sullivan who commands our army of the Island seems to be in high spirits, the enemy having evacuated all their out Posts, and retired within their lines near the town of New Port. Our army under cover of a fog, had erected a Battery within 250 yards of their lines, and seem to intend to force them, we are in anxious expectation of the event as our General seems confident of success. The enemy having no prospect to retreat, having been obliged by the approach of the French Fleet to burn five of their Frigates and two Gallies, and had by the last accounts received but one Frigate left at New Port which upon the return of the French Fleet must be also destroyed or fall into their hands.

Genl. Washington with the main army remains still at White Plains, waiting I suppose the event of the expedition against Rhode Island. I also enclose the sentence of the Court Martial which sat on the trial of General Lee.

I must now beg leave to call your Excellency's attention to some matters which particularly concern the State which I have the honor to represent.

I cannot find as yet that Congress have reduced the number of Supernumerary officers in the several Battalions of the different

States in the manner they have done to our officers, if so, the States have not been equally dealt by.

Our troops of Light Horse have been shamefully neglected, having been long in want of accoutrements, while other new raised Corps have been completely accoutred.

No General officer from our State has been as yet appointed, altho' the General Assembly recommended two gentlemen to be nominated by their Delegates which was done in the most pressing manner in December last.

The requisition of the State for 500,000 dollars for Bounty pay &c. of the men raised to complete the 6th Regiment as the quota of our State, agreeable to the new arrangement has been refused by Congress without assigning any reason as I find on their Journal, only a very short resolve to send 100,000 Dollars in lieu of 500,000 required, and that resolve enclosed to your Excellency without a letter from the President mentioning the motives which induced the measure.

I am informed it has been asserted in Congress in the absence of our Members, that the State of No. Carolina had received from the Continental Treasury more than their proportion of money, and until their account against the United States should be properly liquidated, no farther sums should be advanced. This will convince you Sir, of the absolute necessity of sending on the accounts and vouchers, not only those relative to the supplies to the Continental Troops but also those relative to the Insurrection. The Indian Expedition, the Militia sent to Virginia and those called out on several other occasions, as I find all the other States are endeavouring to do the same, I am very well convinced that No. Carolina is largely in advance to the Continent, much more I expect, than will pay the late requisition, which if I remember right was 250,000 dollars. I have been exceedingly hurt when called upon to produce the demand our State has against the United States, and must repeat to your Excellency my earnest desire that you will be pleased to send on the accounts and vouchers, stated by Gentlemen well acquainted with accounts as every matter of this sort will be very strictly scrutinized by Commissioners of Claims appointed for that purpose.

I wish we could have been represented in Congress, at the time the requisition for 500,000 dollars was made. I flatter myself the State would not have been affronted in so gross a manner. I stayed at York Town until the very last day to which I was appointed, being resolved to travel home at my own expense, rather than leave the State unrepresented. If I had an opportunity of attending the General Assembly, I would propose that 6 Delegates for our State should be annually appointed and that three of them should attend 6 Months, and the other three the remaining 6 months and there to continue until they were relieved by others of the new appointment, and no delegate to be paid for a longer time, than his travelling to, attendance on, and returning home. By this means the State would be at very little expense (annually) more than they are at present, and be continually represented. I need not mention to you, Sir, the necessity of having your State constantly represented in Congress; you are too well acquainted with public Assemblies to doubt of such necessity. Had either of my associates or *even myself* been present, the credit of the State of No. Carolina would not have been so wantonly sported with. Myself and Colleagues intend as soon as we can find an opening to introduce this subject, for my own part, I can't be easy, until Congress explain to the State, the reasons of their conduct. They have been so taken up since my arrival with business of very great importance to the public, that we have not had it in our power as yet to bring this matter on, but are determined to do it as soon as possible I could have wished that Congress had appointed a Deputy Pay Master General in our State, and had taken care to have supplied a Military Chest with money necessary for the pay and subsistence of their Troops, this measure has taken place in almost every one of the other States. I assure you, altho' I sincerely wish the accounts and vouchers may be speedily sent on, I shudder at the difficulty I expect to meet with, in the passing them in such a manner, as may give satisfaction to the State. I shall contribute all in my power towards accomplishing these purposes.

The bearer of this is Col. Marbury of Georgia who has promised me to call on your Excellency in his way home, this Gentleman comes well recommended to me by Genl Howe, & I beg leave to mention him to you, as a Gent. of merit. I have the

honor to be with great respect your Excellency's mo. ob. huml. Servt.

CORNS. HARNETT.

CAPT. J. SITGREAVES TO GOV. CASWELL.

[From Executive Letter Book.]

NEW BERN 1st September 1778.

SIR:

I take this the earliest opportunity of transmitting your Excellency the papers I was to bring down from Hillsboro,' am extremely sorry it was out of my power to call by Kingston with them as I came down, being very much indisposed. I believe all the papers are here, except a letter from Gov. Henry to your Excellency respecting the Naval officers of this State, which was delivered to a Committee appointed to enquire into the conduct of the Naval officers who never reported. I know the member it was delivered to, and shall take care to get it of him next Assembly. I am with all respect

Your Excellency's most humble servant.

J. SITGREAVES.

HON. J. PENN MEMBER OF CONGRESS TO GOV. CASWELL.

[From Executive Letter Book.]

PHILADELPHIA, Sept. 7th 1778.

DEAR SIR:

When I was at New Bern last and was informed that several Gentlemen of the Assembly proposed to ask more money for the purpose of raising Troops for the Grand Army, I was against it and gave my advice that application should be made to Congress for whatever money was necessary for public use, giving them as a reason that I thought it more for the interest of North Carolina to be indebted to the United States, than the reverse that all the other States were occasionally supplied with money, and I was authorized to say (to the Treasury Board) that they would

have money by the 10th of May ; besides what money was made in our State was confined there. I also knew that no Governor or State when I left Congress was treated with more respect than your Excellency and those you presided over. I therefore had no doubt you would have received whatever money was necessary for marching the Troops without delay. Judge then Sir, of my surprise and chagrin when I found by your letter, which I got a few days ago which I most sensibly felt the indignity offered the State, I belonged to, by the little respect that was paid to her first Magistrate, and loudly complained of it in Congress. The members seem much concerned and resolved to grant us the sum you wrote for, indeed they appeared willing.to do every thing that tends to our interest.

We shall send off the money as soon as we can, which will I expect be in a short time, Congress are obliged to meet twice a day, business still increases, in short unless persons are appointed not members to do some of it we must all be ruined. A few days ago we were in high expectation of taking all the British Troops on Rhode Island, now rejoicing that our Army was able to get away without being taken, the Newspapers will inform you the reason. We have no late intelligence from Europe. If the Assembly did not discharge the soldiers it is the wish of Congress that they may be kept in Carolina, under the officers until your Excellency can hear from them. The Express is setting off sent by the President which obliges me to stop. I should be happy to receive any intelligence that you may think proper to give me and with my Colleagues to do every thing in my power for the benefit of No. Carolina. I hope you will excuse the manner in which this appears from the hurry I am in.

I have the honor to be with great respect, your Excellency's most Ob. Servt.

J. PENN.

JOHN PENN, CORNS. HARNETT & JNO. WILLIAMS MEMBERS OF CONGRESS TO GOV. CASWELL.

[From Executive Letter Book.]

PHILADELPHIA Sept. 8th 1778.

SIR:

Upon our application to Congress to have a reconsideration of your Excellency's letter relative to the 500,000 dollars, to be sent for the use of the Continental Troops in our State, we have procured a warrant on the Treasury for the remaining 400,000 which we shall send on, with the utmost expedition, as soon as we can receive it from the Treasury. We have our hopes that the General Assembly, have neither disbanded the Troops or emitted more paper currency. We wish it may come, in time to answer your Excellency's intention to satisfy the Troops. The President has enclosed the resolve of Congress on this business, and we are with great respect your Excellency's most Ob. hume. Servts.

JOHN PENN.
CORNS. HARNETT.
JNO. WILLIAMS.

PRESIDENT RAWL. LOWNDES OF S. C. TO GOV. CASWELL.

[From Executive Letter Book.]

CHARLES TOWN, 9th Sept. 1778.

SIR:

Appearances in the Indian Country wear the aspect of War. The Creeks have commenced hostilities in the State of Georgia, and I have received very pressing application for the assistance to support that State, in no condition equal to its own defence. If my intelligence is right, some Murders have also been committed near our Frontiers, in your State, supposed to be by the Cherokees. A union therefore of force will be the natural consequence of a Rupture with the Creeks, and how far further their alliance may be extended, depends in a great measure for the protection of our Frontier and also for affording aid to our sister State of Georgia, should negociation prove fruitless, but I fear matters

are too far gone to admit of a cordial accommodation. As it is a General interest Sir, in which your State is very materially concerned, I take the earliest opportunity of apprizing you of my apprehensions, not doubting but this State will receive, in such an event, that succour and assistance from North Carolina, which she has always so readily afforded when called upon, a union of force, on our part, being the most speedy, as well as effectual means to prevent, or to shorten the calamities of an Indian War.

I have the honor to be with very great respect Sir, your Excellency's Mo. Ob. huml. Servt.

RAWL. LOWNDES.

CAPT. JOHN EASTON TO GOV. CASWELL.

[From Executive Letter Book.]

BEAUFORT, 13th Sept. 1778.

SIR:

I am in hopes there may be a chance soon of getting some money, towards paying off the ship Caswell, she laying at a place where they can't well run away, otherwise I expect she would have but few hands left as they have received no pay. I have received letters from Capt. Wilson informing me that he was much distressed for want of money. I am at a loss to know what sum may be necessary, or what may likely be obtained soon from the Treasury. Your Excellency will please to grant me a warrant for what sum you may think convenient. I expect it will require a large sum as their wages run high, and a number of men. I understand the ship is much eaten with worms. I should think it necessary she should go up to New Bern to clean. Mr. Tomlinson will hand this to your Excellency, by whom you will be pleased to send me the warrant. I have in my care near 300 bushels salt, brought by the Pennsylvania Farmer, stored with Col. Thompson. If the public should not likely want it should think it best to be sold, as the storage will eat it out.

I am respectfully your Excellency's Mo. ob. huml. Servt.

JOHN EASTON.

HON. CORNS. HARNETT TO GOV. CASWELL.

[From Executive Letter Book.]

PHILADELPHIA Sept. 15th 1778.

SIR:

The Delegates of the State wrote you a few days ago, that they had at last obtained a grant of the remaining 400,000 dollars, to complete your draft for 500,000. This was an object which on my arrival I had much at heart to accomplish; fearing the General Assembly might have been induced to have disbanded the new raised Troops for want of money—or emitted Procl. money for the purpose of paying them off, neither of which was, I hope, done. Had our State been represented in Congress at the time of Mr. Blount's arrival, I am well convinced the money would have been sent. I am happy to find that Mr. Burke and Mr. Hill are appointed for a year. By that means I hope the State will not again meet with such usage.

Should your Excellency think proper to instruct your Delegates on matters relative to the State, especially such as may not occur to us, I should be happy. I find when Governors recommend any measure to the Delegates of their States, it generally has greater weight with Congress than when propositions are made by them, without any letter or instructions for such purposes.

As soon as the 400,000 dollars can be procured from the Treasurer, I shall in conjunction with my Colleagues send it forward by some safe conveyance, in the most expeditious manner. I must take the liberty once more to press your Excellency to forward as speedily as possible the State's accounts and vouchers. I am daily told that No. Carolina has received more money from the Continental Treasury in proportion, than any other State in the Union. In vain do I tell them that we never had a Military Chest established in our State, or a Pay Master; that the expence of drawing out a considerable part of our Militia to quell a very dangerous Insurrection in the very heart of our Country, another very expensive expedition against the Cherokees; the raising, paying, clothing and subsisting Ten Continental Battalions, for a considerable space of time, has been defrayed out of the Treas-

ury of our State. To this they only answer why don't you produce your accounts? I wish this may be done, as I am confident the Continental Treasury must be largely indebted to us. I hope the Gentlemen who are or may be appointed to state these demands, may be careful to procure every necessary voucher for the charges made against the Continent, which must be sent on with the accounts. If your Excellency should in future think it necessary to establish a Military Chest, Pay Master, Commissary, &c. you will be pleased to mention it to your Delegates, perhaps it may be necessary, more especially should another requisition, for men be made this winter against the spring, which may happen should the enemy be determined on another Campaign; this is the opinion of some.

By the Newspapers enclosed you will find Genl. Sullivan on the 29th August gave the Enemy a severe check on Rhode Island before his retreat. This enabled him to cross to the main with all his baggage & stores without molestation. The French Fleet are in Boston Harbor, and Lord Howe with a superior Fleet having been lately joined by 6 or 8 sail of the line, being a part of Admr. Byron's Squadron, are cruising off that place. We are told another fleet is hourly expected to reinforce the Count DeEstaing. I wish they may not be intercepted by Lord Howe, before a junction is formed with the Count.

If I can persuade Mr. Burke or Mr. Hill to relieve me, my intention is to return home before the winter sets in too severe.

I am with great respect, your Excellency's most ob. huml. servt.

CORNS. HARNETT.

P. S. A very great noise has been made in Congress by the Virginia Delegates relative to a Cap Harper driven into Currituck by Goutrage. And an attempt is now making to recommend to the State to make restitution to Virginia, this matter has been pushed by the Virginia Delegates, and altho' they have been assisted by the Gentlemen from New York &c. they have hitherto failed in their attempt. I hope your Excellency will enquire into the matter, and see that the persons who took the vessels out of the Inlet be brought to punishment. The Bill of Costs of the Court of his Excellency's Admiralty is exorbitant, *more of this in my next.*

Genl Sullivan acquaints Congress that by accounts received by Deserters, and (which is more to be depended on) accounts from persons on Rhode Island, the enemy had 1061 killed and wounded in the late action, 321 of which were killed and mortally wounded on the field. This seems to account for the enemy's suffering our Army to make good their retreat, with all their stores and baggage, without Molestation, tho' equal in numbers before the action.

GOV. CASWELL TO HIS EXCELLENCY GENL. WASHINGTON.

[From Executive Letter Book.]

North Carolina, 14th September 1778.

Sir:

Permit me to use the Freedom of introducing to your Excellency, Monsr. Mountflorence who was a Captain in a french Regiment directed to be raised in this State, but the Assembly finding it impracticable to complete the said Regiment disbanded the same. He is a Gentleman well recommended to me by the field officers of his Regiment. If your Excellency shall think proper to give him an appointment in the army, I flatter myself he will faithfully discharge the duties of the same.

I have the Honor to be with the utmost respect, Sir, your Excellency's most Ob. & very Huml. Servt.

RICHARD CASWELL.

GOV. CASWELL TO HIS EXCELLENCY GENL. WASHINGTON.

[From Executive Letter Book.]

North Carolina, 14th September 1778.

Sir:

The General Assembly in my last directed a French Regiment to be raised in this State for the service of the United States, and directed Commissions to issue to the officers necessary to command such Regiment, among whom was Monsr. Sureau Duvivier appointed Major, the impracticability of raising which Regiment

appeared to the General Assembly in their late session in August last, when they thought proper to disband the privates that were enlisted, and declared the State had no further service for their officers. Mr. Duvivier who will have the Honor of presenting this letter, behaved extremely well in his station whilst employed here, which induces me to take the liberty of recommending him to your Excellency's notice.

I have the honor to be with the utmost respect and regard, Sir, your Excellency's mo. ob. & very huml. Servt.

R. CASWELL.

GOV. CASWELL TO HON. PRESIDENT LAURENS.

[From Executive Letter Book.]

North Carolina 14th September 1778.

Sir:

Give me leave to introduce to your notice Monsr. Mountflorence, who was a Captain in a French Regiment directed to be raised in this State, but the General Assembly finding it impracticable to complete the Regiment disbanded the same, by which means he is rather distress[illegible], and being well recommended to me by the field officers of his Regiment as a brave experienced officer, if he cannot consistently obtain an appointment in the army of the United States, I flatter myself he will do honor to the service, please to excuse the freedom I have taken, and believe me to be with the utmost respect Sir, your most respect Sir,

your most Ob. & very huml. Servt.

RICHARD CASWELL.

GOV. CASWELL TO HON. PRESDT. LAURENS.

[From Executive Letter Book.]

North Carolina 14th September 1778.

Sir:

The General Assembly in May last resolved that a French Regiment should be raised in this State for the service of the United States, gave the command of the same to Col. Chariol and directed

Commissioners to issue to the officers necessary to command such Regiment, among whom Monsr. Sureau Duvivier was appointed Major, who whilst in that station behaved with unexceptionable conduct. The General Assembly in August last, finding it was impracticable to raise the said Regiment thought proper to disband such privates as had been raised, and declared the State had no further occasion for the service of the officers. Mr. Duvivier is very desirous of being employed in the Continental service, and his late conduct here induces me to take the liberty of recommending him to your notice.

I have the honor to be with the greatest respect and regard Sir, your mo. ob. & very huml. Servt.

RICHARD CASWELL.

GOV. CASWELL TO HIS EXCELLENCY GOV. HENRY OF VA.

[From Executive Letter Book.]

North Carolina 16th September 1778.

Sir:

In May last the General Assembly of this State directed a French Regiment to be raised for the service of the United States, but finding it impracticable to complete the same, in their late session in August disbanded such as were raised. Capt. Oniell (the Bearer) had the honor to be appointed an officer in that Regiment. He is about to undertake a journey to the grand American Camp, and in his way intends waiting on your Excellency. I take the liberty of giving him this letter, by way of introduction, which you will be pleased to excuse, so far as I have observed Capt. Oniell's conduct, it has been becoming the officer and the Gentleman.

I have the honor to be with the utmost respect and esteem, Sir, your mo. Ob. & very huml. srvt.

R. CASWELL.

GOV. CASWELL TO HON. PRESDT. LAURENS.

[From Executive Letter Book.]

North Carolina 16th September 1778.

Sir:

Permit me to introduce to you (the Bearer) Capt. Oniell, who was in May last appointed a Captain in a French Regiment, directed by the General Assembly to be raised in this State, for the service of the United States, but finding it impracticable, they in their late session in August disbanded such of the men as were raised.

So far as I have observed Capt. Oniell's conduct, it has been consistent with the character of the officer and the Gentleman. Excuse the Freedom & believe me to be with the utmost respect and esteem, Sir,

your mo. ob. & very huml. Servt.

R. CASWELL.

CAPT. DEBADIE TO GOV. CASWELL.

[From Executive Letter Book.]

New Bern, Sept. 19th 1778.

To His Excellency Richard Caswell:

The deepest sensation of the obligations I am under to you, for the many favors I have received do always remain fresh in my breast, altho' your kindnesses had not the desired effect in introducing me to the army. I shall never give over to acknowledge them with a most sincere heart. My whole wishes and endeavours are for the safety and welfare of my Country, (which I now term this). I regard the Country, I am willing to venture my life, and spill my blood on all occasions, in its defence. I return you my most humble thanks for the favors you have done me, yet I entreat this one particular favor of you, that I may be able to hasten my journey, that you would grant me an order on Col. Leech for fifty pounds, or if it seems better to you to give me a letter of recommendation to the Governor of Virginia, that he may grant me what is necessary.

The horse which I bought cost me sixty pounds. My expenses on my journey to Hillsborough were fifty pounds. It would be very difficult for me to go to the army without you grant what I entreat of you. I likewise entreat you to grant me a letter of recommendation to General Washington, and affix the Seal of the State thereto.

I am your most humble servant.

CAPT. DEBADIE.

HON. CORNS. HARNETT TO GOV. CASWELL.

[From Executive Letter Book.]

PHILADELPHIA, 2d Sept, 1778.

SIR:

I take the liberty to enclose your Excellency the acct. as it stands in the Treasury Books against our State. Your Excellency will be pleased to observe that a warrant has been procured for 400,000 dollars, the balance of your draft for 500,000 for the use of the new raised Levies; as soon as the money is received it shall be sent forward with all convenient despatch. Congress did yesterday come to a resolution of sending 1000 men from Virginia, and 3000 from North Carolina, to march immediately to So. Carolina as the people of that State apprehend that Gen'l Clinton, (should he leave New York, which we have reason to believe) may take Charles Town in his way, to endeavor to retrieve his lost honor in that quarter. The movements of the enemy at New York and Rhode Island seems to indicate an evacuation of those places. Their destination is not known, but as we have every reason to believe there is a declaration of war, between France and England, and that the Spaniards will very soon take part in it. Congress are led to believe the British Troops in America must proceed to England, and perhaps a part of the West Indies. By the resolve of Congress, enclosed to your Excellency by the President, you will find, it is the desire of So. Carolina that you should take the command of the North Carolina Troops, with the rank and pay of a Major General in Continental service. I am informed the new Levies are left out on furlough, until March next; could those men be collected and sent forward to South Carolina it might save

a good deal of expense in calling out the Militia. The President of Congress will mention to your Excellency, some other matters relative to this movement, which I am not at present at liberty to communicate, indeed they are not yet fully determined upon. You may be assured that a supply of money will be sent on immediately to defray the expenses of our Troops, now to be drawn out exclusive of the $400,000 mentioned above. I should be sorry to hear of any more Troops received or Militia embodied in our State unless provision is first made by Congress for their bounty, pay and subsistence &c, by sending money forward for that purpose. I am necessitated once more to remind your Excellency to endeavor by all means to send on the accounts and vouchers of our State against the Continent. Surely we must be largely in advance, not having since the beginning of the War a Military chest established in our State. Had such an establishment taken place in ours, as in other States, the charge against North Carolina would have been trifling indeed.

The South Carolina and Georgia delegates are so incensed against Gen'l Robt. Howe that he is directed immediately to join Gen'l Washington at Head Quarters, and Gen'l Lincoln is to command in the Southern department. This gentleman is a valuable and experienced Officer, he is ordered immediately to repair to Charlestown. I have not had the pleasure of a line from your Excellency since my return to Congress. I hope I have not given you offence, I am sure I have not intentionally. I mentioned in my last that it was the wish of myself and colleagues, that your Excellency would give us instructions on any matter to be brought before Congress relative to our State. We find it the practice of the Governors or Assemblies of the other States; requests thus made, are seldom if ever refused. The affair of the Virginia vessel secured from the enemy by our Militia at Currituck, has made a great noise in Congress as she was taken away by persons supposed, (by the Virginians) to be some of our people. I hope your Excellency has taken care to have this matter inquired into, and the parties brought to punishment if any proof appears against them. It has been with great difficulty that your Delegates could prevent a recommendation to the State to make restitution. The affair is postponed at present whether it will be

again taken up I know not. I have the honor to be with great regard,

Your Excellency's,
Mo. Ob. hum. Servt.
CORNS HARNETT.

COL. CHARIOL TO GOV. CASWELL.

[From Executive Letter Book.]

May it please Your Excellency:

I beg you would favor me with a letter recommendatory to the Continental Congress and to his Excellency Genl. Washington, also of the same nature a letter to Monsr. DeJertun, Minister of the Marine in France. As I have resolved something in my mind for the advantage of Congress, which I shall communicate to your Excellency on some future day. I beg you would be mindful of me, & give me permission to write to your Excellency, you will excuse my not riding up to visit your good Lady and family as I shall certainly do myself the honor of waiting on them before I return to France. If I can be of any service to you I very gladly should embrace the opportunity. I have the honor to represent by petition to the General Assembly and by another to the Council the damage I have sustained by the deformation of the Regiment; of a certainty I have expended more than 10 thousand pounds. If I can by any means be reimbursed, I shall be under the greatest obligations—I likewise send you my commission, and request another with the great seal affixed, likewise all those letters recommendatory which have been requested by the Gentlemen officers of my late Regiment. Your Excellency I am your most huml. servt.

CHARIOL, COL.

At New Bern, Sept. 20th 1778.

I have the honor to do you observe, that it is been put in the Gazette that the Regiment has been broke'd and not reformed, as that is a great one dishonor in France to be broke'd the officers and me also do you pray to certify the way of the Resolution of the great Assembly. I send to you by this present, & please to

you to exchange our commission and to give ours of with the great seal affixed. I also beg you the favor to send to me the letter of good recommendation for Mr. LeBaron de Bonstetien, M. Martin de Breteuil, de Sambeouf, Debadie, Montflorence, Lavan de Belvieu, Sureau. One for de Congress and another for de General Washington.

Mr. DeCarouet have lost his commission and also Mr. Sureau, if you will be so kind to send them another they will be oblige to you as I will myself.

GOV. CASWELL TO COL. CHARIOL.

[From Executive Letter Book.]

KINGSTON, 22d Sept. 1778.

SIR:

Your favor of the 20th Current I received and agreeable thereto, I send you letters to the President of Congress, & General Washington, these are said to be favored by you. You must excuse me, in not sending one for the Minister of the Marine in France, as such a letter from me, could be of no service to you, and I have no ambition to correspond with great men beyond the Atlantic, communicating your L..... for the advantage of Congress to that Honorable Body—if they approve it no doubt you will obtain Letters from them which will prove of infinitely more service than any I can give you. It will always give me pleasure to hear from you you therefore not only have my permission to write me, but I take the liberty of enjoining you to do it, frequently—My family will be happy in seeing you at any time your business will permit you to visit them. I thank you Sir for your friendly and kind tender of services at present. I have no commands to the Northward, when I have I will take the liberty of recommending to you, I am truly sensible of your expenditures on account of your Regiment, they have been very great, much greater I fear than you will be reimbursed. However you shall have every assistance I can give you, to obtain only ample allowance from the public.

I have no printed commission which would answer your purpose, but have been obliged to get some wrote to which I have affixed the great seal, a list of them, will be enclosed to you.

I have also sent letters to General Washington and the President of Congress respecting the Baron de Bonstetien, and recommending to his favor at the instance of Major Duvivier, I sent letters to him in his favor, and Mr. Montflorence for the President and the General—and agreeable to your request by Mr. Oneil, (who is now ill of a fever at my house.) I have written in his favor to the Governor of Virginia and the General.

The other officers you mentioned, such as Monsr. Martin de Breteuil, de Sambeouf, de Labadie, Lavan de Belvieu, Sureau & de Carouet, I have comprised in one General Letter, by way of introduction to them, to the President and to the general, my small aquaintance with these Gentlemen has been such as not to enable me to be, particular or current in these recommendations. However these Letters will be an introduction to them and their future conduct, I hope will be such as to merit the attention of the Congress and the General.

I wish you an agreeable journey and every felicity a more Northern Clime affords, and am Sir, your mo. ob. & very huml. Servt.

R. CASWELL.

P. S. The copies of the Resolution of Assembly you sent me were not authenticated by a certificate of the proper officer that is, one of the Clerks of the Assembly. I had by me one copy certified by Mr. Hunt, the Clerk of the House of Commons to which I have affixed a Testimonial under the Great Seal; if more are wanted you must get copies certified by Mr. John Sitgreaves Clerk of the Senate, and send them to me, in which case I shall furnish the Testimonial. I cannot certify the copies. I can only certify the proper officer. Yours, &c.

R. C.

ABRAHAM LIVINGSTON TO GOV. CASWELL.

[From Executive Letter Book.]

CHARLES TOWN, So. CAROLINA, Sept. 24th, 1778.

SIR:

By order of the Commercial Committee of the Honorable Continental Congress, I equipt' the Continental schooner Lewis, as a despatch Boat. In January last Mr. Wm. Pickles arrived here charged with despatches from Congress and with instructions to me to get him forwarded to the Island of New Orleans in the most safe and expeditious manner, he accordingly embarked on board the said vessel, being then a Letter of Marque and under command of Capt. Mathew Roan. On their passage thither the Crew rose on Capts. Roan & Pickles, and after a bloody scuffle they landed those two Captains on the Matanzas, and run away with the schooner, which they carried to New Providence. I am informed that one Dicmond, who was their ring leader is taken and carried into the port of New Bern, within your State. He is a tall fellow, about six feet high and was Mate of Captain, when taken. The Laws of the Continent have made this death, and as I have particular instructions to be watchful for any or all of the Crew of the Lewis, should they be taken and brought within this Government, I am to request that your Excellency will please to give orders to enquire for this fellow, and should he be in any Port within your Government, that you will please have him sent thither for trial. There are many evidences, inhabitants of this State, who were at Providence when the Lewis arrived at that place. Congress are very solicitous for the apprehending of these accomplished villains. Therefore flatter myself that your Excellency will give the necessary directions on this head. I have the pleasure to be with much esteem

Your obt. huml. Servt.

ABRAHAM LIVINGSTON.

GOV. CASWELL TO HIS EXCELLENCY GENL. WASHINGTON.

[From Executive Letter Book.]

North Carolina, 22d September 1778.

Sir:

At the instance of Messrs. Martin de Breteuil, de Samboeuf, de Labadie, Laval de Belvieu, Sureau & de Carouet. I beg leave to acquaint you that these Gentlemen were appointed officers in the French Regiment lately commanded by Col. Chariol. They are going to the grand American Camp, and I believe wish to be employed in that army there. They were all well recommended to me, but my small acquaintance with them will not allow me to be more particular, this therefore I beg to be considered only as an introduction for them to your Excellency, for whom I have the honor to entertain the highest regard and esteem, and am Sir, your Excellency's most ob. & very huml. servt.

R. CASWELL.

GOV. CASWELL TO HON. HENRY LAURENS.

[From Executive Letter Book.]

North Carolina, 22d September 1778.

Sir:

Permit me to introduce to you, Messrs. Martin de Breteuil, de Samboeuf, Labadie, Laval de Belvieu, Sureau & de Carouet, as unfortunate Gentlemen, who have been dismissed from the service of the States, by the disbanding of Col. Chariol's Regiment in which they were officers, and were severally well recommended to me. But I dare not recommend them on my own knowledge, having a very slight acquaintance with all of them. They propose going to the Army, and on their way to wait on Congress, if anything be done for them, I believe they need it, and will be grateful.

I have the honor to be with very great respect and esteem, Sir, your mo. Ob. & very huml. Servt.

R. CASWELL.

GOV. CASWELL TO HIS EXCELLENCY GENL. WASHINGTON.

[From Executive Letter Book.]

North Carolina, 22d September 1778.

Sir:

In May last the General Assembly of this State directed a French Regiment to be raised for the service of this State, and of the United States. But finding it impracticable to complete the same, in their late session last month disbanded such as were raised. Col. Chariol (the Bearer) had the honor to be appointed to the command of that Regiment. He is about to take a journey to the grand American Camp, and I take the liberty of giving this letter to introduce him to your Excellency. So far as Col. Chariol's conduct is in my observation or to my knowledge, it has been becoming the officer and the Gentleman.

The importunity of the French Gentlemen who were lately of Col. Chariol's Regiment are such that I can not do other than give you the trouble to receive sundry letters from me on the subject, and altho' I am very loth to trespass on your time, I cannot avoid it in these cases. The disposition of these people I know your Excellency has long since been acquainted with and therefore flatter myself, you will excuse the trouble I gave you respecting them.

I have the honor to be with the greatest respect and esteem, Sir, your Excellency's most obedient and very humble servant,

R. CASWELL.

GOV. CASWELL TO HON. HENRY LAURENS.

[From Executive Letter Book.]

North Carolina 22d September 1778.

Sir:

The Bearer Monsr. LeBaron de Bonstetien had the honor to be appointed Lieutenant Colonel of the French Regiment lately disbanded in this State whilst he resided in the State of South Carolina, where he raised a considerable number of recruits, and is very well recommended from thence as well by the present as by

the late Governor, whose knowledge of him must be much greater than mine as he arrived here but a very few weeks past; the recommendation of those Gentlemen I have no doubt would have proper weight with a stranger, but to you Sir, I know it is sufficient yet I cannot help saying that from my small acquaintance with the Baron he appears to be a Gentleman and worthy of notice, and as such I take the liberty of recommending him. I have the honor to be with very great regard and esteem Sir, your most obedient and humble servant,

R. CASWELL.

GOV. CASWELL TO HIS EXCELLENCY GENL. WASHINGTON.

[From Executive Letter Book.]

North Carolina 22d September 1778.

Sir:

Permit me to introduce to your Excellency Monsr. Le Baron de Bonstetien who had the honor of being appointed Lieutenant Colonel of French Regiment, lately disbanded here. He was appointed whilst in South Carolina where he raised a considerable number of recruits and is extremely well recommended, by Gentlemen of the first character there. From the little acquaintance I have with him I am induced to consider him as a Gentleman, as such I take the liberty of recommending him to your Excellency.

I have the honor to be with the greatest regard & esteem Sir, your Excellency's mo. ob. & very huml. Servt.

R. CASWELL.

MAJ. THOS. CRAIKE, D. C. G., TO GOV. CASWELL.

[From Executive Letter Book.]

Wilmington, 25th Sept., 1779.

Sir:

The arrival of Mr. Martin relieved me from much anxiety on his account, and from frequent applications made to me for money. I had not the least doubt of his coming with the escort, which I directed him to do, but when a week and upwards had expired

(after they had passed through this town) and he did not arrive, I was afraid some accident had happened to him and was ready to set off for Kingston when he came. Before I concluded to send my letter enclosing the warrant for $30,000 by Maj. Blount, he promised to go by Halifax and deliver it to Mr. Martin. If he had not made a positive promise to deliver it I should have procured some certain conveyance, as I considered it of consequence to the public and to myself, that the letter should be delivered as soon as possible which I told him repeatedly.

The money your Excellency sent me by Mr. Martin is very insufficient to purchase the clothing wanting for the officers and soldiers. After I have discharged those debts contracted at Wilmington and Charles Town, I shall not have many thousand pounds remaining to purchase goods. The estimate enclosed in my last letter to you, respected the Officers only, and many articles of expense were not put in it, which I noted at the bottom of the estimate. The State will want a large quantity of linen, Blankets, Hats or Caps, &c, &c, for the Soldiers, as I have not any of those articles in the store. I shall expend the money remaining in my hands after discharging the public debts I owe in purchasing such goods as will be most wanted for the service, but I cannot with propriety purchase goods again on credit, as the uncertainty of getting money to pay for them when due, may involve me in difficulties and probably ruin my credit. Mr. Evans will send to your Excellency for the balance of the order I drew on you in his favor which I hope you will be in cash to pay, or give a warrant for it. I will be obliged to you Sir, to let Mr. Martin have $3,000, or a warrant for that sum, which I expect will pay the debts I owe on behalf of the public at Halifax. I intend to be at the Assembly if possible the latter end of Oct., as I wish to settle my cash accounts with the public every session. If I cannot be furnished with the necessary sums of money to carry into effect their resolves which respect myself, I must request of them to appoint some other person to do their business. I cannot any longer in justice to my own character, give color for censure from the officers and soldiers and the public in general, when I am innocent and doing my utmost endeavors to serve them and the State. I do not blame the officers or men, for their complaints, however severe against myself, as I am held out to them as the

person to redress their grievance. Yet I cannot help feeling the reflections I frequently hear.

We have not any news here of the operations of our Troops and good allies to the Southward, but expect to hear from there every day. I shall set off for Charles Town, Sunday or Monday at farthest. I will be obliged to your Excellency to write to me by the first post, (if possible) whether I may do any more business than what I can do with the money I may have in hand, but it must be on a certainty that I can make good my contracts and to what amount. I shall do myself the pleasure of writing you on my arrival at Charles Town. I have the honor to be your Excellency's

Ob. hum. servt
THOS. CRAIKE, D. C. G.

HENRY LAURENS, PREST. CONGRESS TO GOV. CASWELL.

[From Executive Letter Book.]

PHILADELPHIA, 26th Sept. 1778.

SIR:

I had the honor of addressing your Excellency under the 5th Inst., since which I have received none of your Excellency's favors. This will convey an act of Congress of the 25th for the immediate defence of South Carolina and Georgia to which I beg leave to refer. The apprehension which gave rise to this act springs from a private verbal message sent to me by Robt. Williams, Esq., a native of South Carolina, a Practitioner of the Law, a man of good understanding, and of a very respectable, general character, possessor of a large Estate in that Country, but more attached to his private interests, than zealous for the establishment of our Independence, and held to be a friend and favorite of the Ministers of Great Britain. This Gentleman's communication which I received three days ago, imported that he had on or about the 19th Inst. learned from Gov. Johnston that an attack by an army of ten thousand troops, and a sufficient number of the Ships of the Line, was intended upon South Carolina at Charles Town and Beaufort, Port Royal or both—that Gov.

Johnston obtained permission for him and several other unstaunch Carolinians to proceed to Charlestown under a Flag of Truce. Mr. Williams anxiously pressed a very ridiculous request, "that I would not give him up as the author of this important discovery", which strongly implied a degree of treachery and no less a degree of artifice. Is it likely that Gov. Johnston would have informed Mr. Williams the Plans intended by the commanders of the British Land and Sea forces? It is possible he may have entrusted him with the secret for valuable considerations, the flag vessel may contain skilful engineers, in the habit of Mariners and she may return with such intelligence as may greatly facilitate the meditated execution, how shall we account for Mr. Williams's breach of confidence? Only by supposing that in any event he means to secure his own Estate, and wishes to meet a more hospitable reception in Charles Town than his fears had indicated without this harbinger. The recovery of South Carolina and Georgia is a project of the first magnitude to Great Britain in her present circumstances, it is consistent too, with the declared intentions of her Ministers from the commencement of the present war "that those Provinces should be the dernier resort." The subduing those States in the approaching November, unless in the meantime an ample aid shall be supplied by their Northern neighbors will certainly be no difficult work. The expected plunder of an abundance of provisions, Merchandize, many thousand of negroes, great quantities of cannon and warlike stores, horned cattle, sheep, Hogs and Horses, an immense value of Indigo, and upwards of 200 sail of Ships and other vessels appear to be a sufficient temptation to the Enterprise. I have lately examined upwards of 30 Deserters from Byron's fleet, and many other persons from New York, all of whom concur in opinion that an abandonment of that city and Port, is intended; but none pretend to know whither the forces are to be transported. The most intelligent person among those informants, intimated that the enemy had contrived to circulate whispers of their designs so contradictory in terms as to leave the truth undiscoverable, he had been much on board the Eagle man of War, and altho' he professed his ignorance in general, he had collected so much from various conversations as had induced him to believe the enemy intended a complete evacuation of New York, and Rhode Island;

that Halifax would be strengthened by our part of the troops. The West India Islands by a second part, and the remainder cross the Atlantic for reinforcing Great Britain and Ireland. A sensible correspondent in General Washington's camp gives me as his opinion that the destruction of Count de Estaing's squadron will not be left unessayed. If your Excellency will have patience to hear my private sentiments, I will add that Sir Henry Clinton is taking every necessary step for a sudden removal when he shall receive orders from Whitehall, expected about this time, by the August Packet, and there is no place more inviting than South Carolina, an attempt therefore upon that State is most to be dreaded especially as the Expedition may be made consistently with a voyage to the West Indies, consume but little time, and success be the means of securing a twelve months food for the most populous of all the Islands, and for many political considerations which will in a moment strike your Excellency's mind. Gen'l Washington's camp was on the 19th Inst. at West Point. We know nothing of transactions at Rhode Island except the return of Sir Henry Clinton to New York from thence, and from thence the successful descent of Gen'l Gray upon Bedford and Martha's Vineyard. It is said that about 50 empty transports came out of Sandy Hook and steered Southerly in view of Egg Harbor four days ago, and that the enemy have landed about 5000 Troops at Hackensack. These I regard only as reports. This Instant came in two seamen who left New York the 21st. They say the Iris to which one belonged has lost upwards of 50 seamen by desertion. The other from the Conqueror reports near 100 Deserters from that ship, both confirm the accounts of intended evacuation. The Packet was not arrived—all the Men of War have lost men in proportion, as these fellows aver. They add that the fleet in general were extremely sickly, provisions extremely dear and scarce, and repeat the landing at Hackensack, and that the Troops as well as seamen were inclined to desert. I have the honor to be with the highest esteem & regard Sir,

Your Excellency's Mo. Ob. Servt.

HENRY LAURENS,
Prest. Congress.

[From Executive Letter Book.]

EXTRACT OF A LETTER FROM A GENTLEMAN IN CAMP DATED 29TH SEPTEMBER, 1778.

"The enemy's superiority by water give them cruel advantage over us. Baylor's Regiment of Horse has been surprised by a strong party of the enemy that surrounded them by coming up the North River. A number of the Militia shared the same fate, few escaped, the greater part being taken prisoners or killed. Several were butchered in cold blood. The enemy had been conducted through bye Roads up to the very Houses in which the Officers and Troops were unguarded asleep. The enemy are now in force on the Jersey side, and make a show of advancing. Gen'l Lord Stirling is gone to take the command of the two Brigades of Continental troops and such Militia as shall collect to them. Gen'l Winds has already embodied six hundred. The circumstances of the enemy's collecting forage is equivocal, it may be either for Winter Quarters or Sea Store. The intelligence given by Gen'l Sullivan of the enemy's being employed in building Barracks is against a move from thence, but I am inclined to think his intelligence ill founded. The enemy may still meditate an enterprise against Boston, which has been delayed until now by the sickly condition of Byron's crew, and the injury which he suffered from the storm—but I do not think it probable."

JOHN PENN, CORNS HARNETT, AND JNO. WILLIAMS DELEGATES IN CONGRESS TO GOV. CASWELL.

[From Executive Letter Book.]

PHILADELPHIA, Sept. 29th, 1778.

SIR:

We are sorry to inform your Excellency, that we have not been able to send forward the money granted for the use of North Carolina. The very great demands on the Treasury previous to our Grant, have been the cause; however we are assured that it

will be ready in a day or two at farthest. Congress have been alarmed that our enemy were about evacuating Rhode Island and New York, and that another attempt would be made on Charles Town by them to prevent their getting possession of that place—so important to our neighbors. It has been recommended to Virginia and North Carolina, to send some of their Militia to assist in the defence of So. Carolina. The high opinion entertained of your Excelleney here, and the very great desire the Delegates of that State had, that you would accept the command, was the reason of the resolve relative to you, but in this you will no doubt consider the interest of North Carolina and the propriety of being absent from your Government. Gen'l Howe is directed to repair to Head Quarters and Gen'l Lincoln goes to South Carolina. We are informed that the French are busily employed in taking possession of the British Islands. This if true will furnish Gen'l Clinton with some other employment than ravaging these States. Enclosed is a Newspaper by which you will see the manner in which this intelligence is obtained. We can only observe that it is believed here. We should have written by the express that was sent by the President, but he went away without our knowing it. We have the honor to be with great respect,

Your Excelleney's mo. Ob. humb. Servts.,

JOHN PENN,
CORNS. HARNETT,
JNO. WILLIAMS.

P. S. France has certainly declared war against Great Britain.

HENRY LAURENS, PREST. CONGRESS, TO GOV. CASWELL.

[From Executive Letter Book.]

PHILADELPHIA, 4th Oct. 1778.

SIR:

My last letter to your Excellency was under the 26th Ulto. by Messenger Jones. Within the present cover will be found two acts of Congress, viz—one of the 21st Sept. for enabling the States of Virginia and North Carolina to purchase certain can-

non now lying in North Carolina which had been imported on account of the United States; and one of the 2nd Inst. for extending the present Embargo on provisions to the last day of January 1779, and for divers other purposes therein mentioned. Enclosed your Excellency will also find extract of a letter from a correspondent of mine in Camp giving a melancholy account of a late advantage gained by the enemy over Col. Baylor's Regiment of Horse and some of the Jersey Militia. I have the honor to be with very high esteem & the utmost respect, Sir,

Your Excellency's Mo. Ob. humb. Servt.

HENRY LAURENS,

Prest. Congress.

HON. CORNS. HARNETT TO GOV. CASWELL.

[From Executive Letter Book.]

PHILADELPHIA 4th Oct. 1778.

SIR:

By this express your Excellency will receive the 400,000 dollars mentioned in my last. Should there be a necessity for a further supply for marching the 3000 Militia to South Carolina, I could wish you would be pleased to mention it to your Delegates, and unless the Temper of Congress should suddenly change, I believe it may be procured.

Congress have found it absolutely necessary to continue the embargo, until the last day of January, finding it almost impossible to supply the army and French fleet with bread, unless it can be taken out of the hands of Engrossers and Monopolizers. A request is accordingly made to the States for this purpose, which the President sends on by Express, how far this may affect our State I know not, no supply of bread is however expected from that Quarter. As the General Assembly are to sit the next month, I could with my colleagues receive their particular commands. We find from experience that requisitions from States come with much greater certainty of success through the channel of their Governors, than by a bare requisition from the Delegates, not having an instruction from authority to produce, I therefore hope your Excellency will be attentive to this circumstance. The

circumstances of the Enemy still in the opinion of Congress seem to indicate an evacuation of their Ports on the Continent. 'Tis imagined some of their Troops will go to the West Indies, some to Europe, some to Halifax, and some to Quebec. That the French are already in possession of the Island of Dominica, we have pretty good authority for. It is also believed that an attack on Jamaica is also intended. We hope the French and Spaniards will cut out work enough for the enemy at a distance from these States, which will at least give us a breathing spell. A large foraging party have been landed in West Jersey some time. The States have no army in that quarter to oppose them.

The French Fleet still remain at Boston. Lord Howe is too strong for them at Sea.

We do not yet hear of any new instructions received by the British Council, whether Britain will acknowledge our Independence or not seems therefore doubtful as yet.

I take the liberty to enclose the last Newspapers, and shall be happy in receiving a line from you. I have the honor to be with great respect,

Your Excellency's Mo. Ob. Servt.

CORNS. HARNETT.

PRES'T. HENRY LAURENS TO GOV. CASWELL.

[From Executive Letter Book.]

PHILADELPHIA 7th Oct. 1778.

SIR:

The act of Congress which I had the honor of transmitting to your Excellency in my letter of the 4th Inst. for continuing the Embargo, &c., was deficient of one clause, which the paper enclosed herein is intended to supply, and to which I beg leave to refer—I have the honor to be with great esteem and regard

Sir your Excellency's Ob. & Mo. humb. Servt.

HENRY LAURENS, Pres't Congress.

P. S.:

P. S.: Your Excellency will also receive enclosed an act of the 5th Inst. for exchanging with Continental Currency such local

Bills of credit as have been received in the loan office of each State respectively.

His Excellency Gov. Caswell.

PRESIDENT HENRY LAURENS TO GOV. CASWELL.

[From Executive Letter Book.]

PHILADELPHIA 13th Oct. 1778.

SIR:

On the 7th Inst. I had the honor of writing to your Excellency by Dugan—since which I have not been favored with any of your letters—within the present enclosure will be found an Act of Congress of yesterday's date, for encouraging true Religion and good Morals—and for the suppression of such Entertainments and diversions as have a contrary tendency.

I have the honor to be with very great regard and esteem Sir, your Excellency's Ob. humb. servant,

HENRY LAURENS, Presd't Congress.

PRESIDENT HENRY LAURENS TO GOV. CASWELL.

[From Executive Letter Book.]

16th Oct. 1778.

SIR:

I beg leave to refer you to the above which has been lying for the present conveyance. I have now the honor of enclosing an Act of this date for preventing the spreading of seditious papers in these States by the Enemy under the Mask of a Flag of Truce—or otherwise, and for punishing persons detected in attempt to disperse such papers.

I have the honor to be with very great esteem and respect Sir, your Excellys Ob. & Mo. humb. Servt,

HENRY LAURENS, Presdt Congress.

PRESIDENT HENRY LAURENS TO GOV. CASWELL.

[From Executive Letter Book.]

PHILADELPHIA 18th Oct. 1778.

SIR:

I beg leave to refer your Excellency to my late letters of the 13th and 16th Inst. forwarded yesterday by the hands of Col. Wood.

Congress having received recent repeated intelligence of the Enemy's design to make an attack upon South Carolina, and that an embarkation of Troops for that purpose had actually commenced at New York, have directed me by an Act of the 17th Inst. here enclosed to request your Excellency to forward with all possible expedition the 3000 men requested to be sent to the aid of that State and Georgia, in an Act of the 25th ulto transmitted in my letter to your Excellency of the 26th and to make an addition of two thousand men to the number above mentioned. I am also directed to assure your Excellency that the necessary remittance of money for the payment of these Troops will be made in a few days.

I have the honor to be with great esteem & respect Sir, your Excellency's Mo. Ob. humb. Servt.

HENRY LAURENS, Presdt Congress.

HON. JOHN PENN DELEGATE IN CONGRESS TO GOV. CASWELL.

[From Executive Letter Book.]

PHILADELPHIA, 18th Oct., 1778.

DEAR SIR:

Congress were yesterday informed by what is said to be good authority, that several thousand of the Enemy are about embarking from New York for Charles Town, in hopes of being able to surprise the Inhabitants and to get much plunder. Your Excellency will observe from the proclamation published by the British Commissioners that they intended to destroy everything they can, alleging by way of excuse that America was mortgaged to France, their natural Enemy and it was now the intent of Britain to ruin

the estate, to prevent them from getting any advantages from our connection. They have burnt and destroyed all the houses and other property of the Inhabitants of Jersey lately, whenever it was in their power. I can hardly believe yet, they will go to South Carolina, but as there is some reason to fear it, we should endeavor to be prepared so as to prevent their being able to practice such horrid cruelties as they do.

The French have taken Dominica and Turks' Island, and will soon be in possession of all the British W. Islands unless they are defended in a different manner from what they now are, nor have they any other resources than what are here plagueing us. Count De Estaing's Fleet will shortly be fit for sea again, and how the Enemy can continue to divide their shipping without leaving him superior to what is left I know not. We have no late information from Europe worth mentioning except that the Emperor of Germany and the King of Prussia are at the head of 250,000 Troops each well officered. They seem disposed to try who has the longest sword.

The Delegates wrote your Excellency an official letter not long ago, tho' we have not had the pleasure to hear from you since our arrival in that way. I have received one letter only. I shall think myself much obliged to you for some account of what is doing to the Southward, when you can spare so much time. I wrote to you the first of this month, giving you all the information that I suspected would please or was worth your attention. I should take pleasure in corresponding with you if agreeable, besides what is necessary in our official characters. Gen'l Howe is directed to repair to head quarters to join the Grand Army, and Gen'l Lincoln goes to So. Carolina to take command there. The latter is from Massachusetts Bay, he is highly spoken of both as a Soldier and a Gentleman by all that know him, especially by the Southern officers.

The French Minister behaves with great propriety so far as I am able to judge of his conduct. I wrote you the situation Gen'l Lee was in. Congress have been so engaged in business that we have not had as much time as to take up the proceedings of the Court. However, that will be the business of to-morrow.

Gen'ls Schuyler and St. Clair are honorably acquitted by the Court Martial. We shall examine their trials soon. My compliments to your son, and am with due respect

Your Excellency's mo. Ob. Serv't,

JOHN PENN.

DR. THOS. BURKE TO GOV. CASWELL.

[From Executive Letter Book.]

WILLIAMSBURG Oct. 20th 1778.

DR SIR:

A young Gentleman of the Army going home to Duplin County gives me an opportunity of advising you of an occurrence which has happened here to which I suppose you may expect one similar. A flag came from New York with various packages directed to the Governor for the time being, the Speakers, the Commanding officer of the Army, the Clergy, and some other Orders, which I have forgotten. The Governor took the advice of the Assembly, and they have refused to receive the Packages, they ordered back the flag and entered into some severe resolutions, against any officer who should come again on such business.

The Assembly immediately perceived that it was an arduous attempt to treat with them, and to influence the people of this State, and it was almost instantly resolved that nothing of that kind could properly even be opened, that all business of a public nature must be transacted with Congress only. The zeal of the Assembly hurried them beyond what was really their intention. They propose only to declare that the Congress was the only power competent to treat for the states with foreign powers, that this state would therefore receive nothing addressed to them individually, and that any person in future bringing things so addressed, would be considered as an Enemy not protected by the Law of Nations, but I am told their resolutions go farther, and declare they will receive no flags but through Congress, and that any person coming with one shall be deemed an Enemy, which indeed every flag necessarily supposes, or there could be no occasion for that ensign of suspended Hostility. When any attempt

like this is made on the State over which you preside, I am confident you will treat the affair with proper dignity and wisdom.

I suppose you have received the resolutions relative to sending Troops to South Carolina. Here it is considered as a matter altogether visionary, and nothing is done except giving power to the Executive in case of any invasion shall happen or appear imminent to send the force required. For my own part I am of opinion it has arisen from the credulity of some Southern Gentlemen in Congress, and from the high idea of the importance of their Country. It is not very probable that the Enemy will divide a force already unable to keep the open field, or that they will forego their present possessions for the purpose of making an attempt on one much less important to them. To do the first would be to make a certain sacrifice of a part of their army, and to do the latter would be egregious folly. In short Sir, I believe it will end in mere smoke. We have here the very disagreeable news that Col. Baylor's Regiment of Light Horse was surprised near Hackensack, forty of them put to the sword and the most taken. The Col. himself and most of his officers are supposed to be among the slain. In a Northern paper which I received yesterday from some persons who I believe have a charge of money for our State and Georgia, mentions our engagement between Admiral Keppel, and the Brest fleet, in which the latter had the advantage, but both were obliged to put back to refit. Nothing else of any importance is stirring here.

I have the honor to be Dr Sir, with perfect respect and sincere esteem,

Your very obedient Servant,

THOS. BURKE.

GEN. ALLEN JONES TO GOV. CASWELL.

[From Executive Letter Book.]

HALIFAX, October 21st, 1778.

SIR:

Agreeable to your Excellency's orders I have directed the several Colonels of this District to draft the men and send the several Companies on to Kingston to the Rendezvous the 10th of next month. I am apprehensive they will hardly get there by that

time, and I am sure they will be badly accoutred, as most of the guns in this District have been already purchased for public service. Mrs. Jones is in so low a state of health that I cannot absent myself at this time without cruelty or I assure you I should be happy in having a command under your Excellency. Should you go, as I cannot believe there is any real necessity for the March of the Militia at this time, I must frankly tell you Sir, that I think your going will be of no service to So. Carolina, and may be a prejudice to this State. Charles Town is too trifling an acquisition for the British Arms, should they abandon New York and Rhode Island—neither is it tenable or healthy after taken. Besides should they quit the North it must certainly be to protect their West Indian Settlements, so that unless the Commander should wantonly and merely in revenge for the former repulse fall on Charles Town the Inhabitants may sleep in peace. I hear it questioned here, as to your power of sending the Militia out of this State. There is no law for it. Can your Excellency apply any of our present funds or any of the money to be made to this service? I think not. Can you apply the money coming from Philadelphia this way? Certainly not, for we are debited with it on our own account. At least I think not, tho' I confess what I have said occurs to me without much reflection for I have been too busy to satisfy myself on the present subject. It galls me to think that the balance of your draft is to be paid up as soon as our assistance is wanted and that when we were really distressed for money it could not be had, tho' we had incurred the expense agreeable to the requisition of Congress. I am very far from thinking this State bound to comply with their requisitions, in all cases, and in the present, were the Assembly sitting, I am sure a single man would not march to the South. We have always been haughtily treated by South Carolina, till they wanted our assistance, and then we are sisters, but as soon as their turn is served, all relationship ceases. So. Carolina is so well aware of our resentment that they despaired of succeeding, should they apply themselves, therefore have got Congress to make a requisition, thinking no doubt that out of respect to that Body, we should overlook their former treatment. In short, Sir, our State either one way or other appears to be sacrificed to So. Carolina, and that we are of very little consequence in the eyes of Congress. Con-

sidering the matter in every light the little service to be expected from marching the Militia, and the contempt with which we are treated, I cannot help saying that I am totally averse to sending one man out of the State on the present requisition. Excuse these crude thoughts and believe me

Yours, &c,

ALLEN JONES.

HON. JOHN PENN DELEGATE IN CONGRESS TO GOV. CASWELL.

[From Executive Letter Book.]

PHILADELPHIA, Oct. 22d, 1778.

DEAR SIR:

Genl Lincoln is now on his way to Charles Town to take the command of the Troops in the Southern Department. He is greatly esteemed both as a Soldier and a Gentleman, by all that know him. I beg therefore to introduce him to your Excellency's particular notice and attention. The General wishes to consult you relative to the defence of Charles Town, as he is informed that great part of the force necessary for that purpose must go from North Carolina. I must also take the liberty to refer you to the General for intelligence relating to Military Operations.

We have received no late information of what is doing in Europe to be depended on. It is said the King of Prussia has obtained a victory over the Emperor. France and England are deeply engaged. I mentioned to your Excellency some time ago in a letter of the high opinion entertained of you by Congress, and of course the wish of many Gentlemen that you should take the command of what troops march from our State. Should you take upon you that duty you are to have the rank and pay of a Major General, which is superior to any officer that will be there except Major General Lincoln. However in this your Excellency will act as your good sense and prudence shall direct. I have the honor to be with due respect

Your very obedient Servant,

JOHN PENN.

GEN. JOHN BUTLER TO GOV. CASWELL.

[From Executive Letter Book.]

MOUNT PLEASANT, Oct. 22nd 1778.

SIR:

I received your letter dated Kingston 16th Oct. 1778. The orders therein contained comes very unexpectedly, as I have never heard of the Enemy's movements to the Southward. I beg leave to assure your Excellency that every thing in my power shall be done in compliance with them; and shall let you know every thing of consequence in the course of this business by Express. I am Sir,

Your Obedient servant,

JOHN BUTLER.

JER POWELL TO GOV. CASWELL.

[From Executive Letter Book.]

COUNCIL CHAMBER BOSTON Oct. 22nd 1778.

SIR:

I have enclosed you a copy of an Act of the General Assembly of this State to prevent the return of certain persons therein named who left this and the neighboring States, and joined the enemys thereof and to request the favor of your transmitting to the General Assembly of this State a list of the names of all persons who have left your State and joined our common Enemy, in order that such persons may be prevented from residing within this State.

I have the honor to be with the greatest Esteem, Sir, Your mo. ob. humb. serv't.

JER. POWELL,
President.

COL. GIDEON LAMB TO GOV. CASWELL.

[From Executive Letter Book.]

MOUNT PLEASANT 24th Oct 1778.

SIR:

Yours of the 16th Inst. with the Proclamation I have now before me. Will observe the contents with the greatest cheerfulness, shall use every means in my power to bring out my men as well equipped as the times will admit, and with as much dispatch as possible.

Tho' as the Edenton District, but few in number, is much more extensive and cut in pieces with Swamps, Waters, &c., than any other in the State, I am doubtful the troops will not be so soon assembled as may be expected, the Regular Recruits being scattered all over the District on furloughs with the Volunteers and balloted soldiers till the 20th of Feb. next, then to meet at Edenton.

I have the honor to be

Your Excellency's most ob. humb. servt.

GIDEON LAMB,
Col. 6th Regt. N. C.

HON. CORNS. HARNETT DELEGATE IN CONGRESS TO GOV. CASWELL.

[From Executive Letter Book.]

PHILADELPHIA Oct 24th 1778.

SIR:

A fleet from New York, consisting of 16 ships of the line and upwards of 100 transports, sailed a few days ago, with Troops and many cannon on board. Their destination is at present a secret. Congress are much alarmed, fearing they may intend for the southward, (Charles Town) which has induced them to call upon No. Carolina for a greater body of men than I suppose can be raised in time to prevent the Enemy's designs. Your Excellency will perceive it to be the desire of Congress that you should put yourself at the head of the Troops from your State, and should you be

inclined to do so, have given you the rank and pay, &c., of a Major Genl in the Continental Army. Genl. Howe is ordered to head quarters, and Gen'l Lincoln, an officer of great military merit, is appointed to the command in the Southern Department.

I hope your Excellency has long since received the 400,000 Dollars for Bounty pay, &c., of the last levies; 150,000 more will in a few days be sent to Mr. Wm. Blount for the use of the Troops to be sent to So Carolina, where one million more will be sent for the expense of this Expedition. Genl. Washington apprehensive that the Enemy may intend to attack upon Boston, has ordered on Genl. Gates to the Eastward, with a large detachment from the main Army. Should the Enemy appear on that coast, I suppose all New England will be in motion. Some among us think this fleet has sailed either for Europe or the West India Islands. Whether New York and Rhode Island will be evacuated by the Enemy this fall seems at present very doubtful. The Newspapers enclosed will give you an opportunity of forming a conjecture of the Enemy's designs. You will find the last speech and dying words of the British Commissioners, with the comments upon it by Common Sense.

I beg your Excellency will not take amiss my once more reminding you of the necessity of sending on as soon as possible the State account against the Continent. The charge against No Carolina in the Treasury Books is 1,075,543.$\frac{29}{100}$ dollars, when other States which have had ten times the money expended in them, do not stand chargeable with more than 500,000 dollars—and this entirely owing to their having a Military Chest established within them, and constantly supplied out of the Treasury of the Continent, exclusive of Commissaries, Quarter Masters, &c., who never called upon the State for money.

27th October.

Since writing the above and meeting with no opportunity of sending it forward, but by Post, I have enclosed a paper of this date. It is now believed the enemy really intend to Evacuate New York.

I have not had the pleasure of a line from your Excellency since my return. I am with the greatest esteem

Your Excellency's Mo. Ob. & very humble Servt.

CORNS HARNETT.

P. S. We have procured 10,000 dollars to carry into execution the resolve of our Legislature of the 30th April relative to supplying our Troops with necessaries.

GEN. W. SKINNER TO GOV. CASWELL.

[From Executive Letter Book.]

PERQUIMANS Oct. 25th 1778.

HON'D SIR:

Yours of the 16th Inst. I am now to acknowledge the receipt of and the contents duly noted. The notice is so short, am doubtful that the Militia can scarcely have time to be at Kingston by 10th Nov.; however shall leave nothing in my power undone to hasten their march, but the bad state of health I am in at present will put it out of my power to be very active. With respect to my marching with the Militia, it makes me very unhappy that I cannot accept the Honorable appointment you mention on account of my health. Since the 10th ulto. I have been confined the chief part of my time to my bed, and at this time am not able to sit up, six hours in the twenty-four, and my duty with respect to the Treasury will require my attending the commissioners as soon as able, which I hope will be by the time the Militia reaches Kingston. With respect to your commanding the Militia in person it has not been in my power to consult any of the Members of the General Assembly, but think I may venture to say every man of your acquaintance will wish you to command, as there is no probability of any other person of Equal abilities, not but we shall be too sensible of your absence from your Government. I am Dr Sir,

Your Mo. Ob. humble Servt,

W. SKINNER.

GEN. GRIFFITH RUTHERFORD TO GOV. CASWELL.

[From Executive Letter Book.]

Oct. 25th, 1778.

Dr. Sir:

I have received your Orders, and with all possible speed will endeavor to put them in force. The time is very short, but the matter requires diligence. There is a number of the new Levies that will be tardy to march to South Carolina, some of them having absented themselves when they were to go to the Northward, but your Excellency may depend I will endeavor to raise the number required in my District. I should be very glad if the pay Master would come up, so as to be time enough to pay them their Bounty and pay, for then they could have no excuse. I can procure money to pay their Bounty, but, the arrears of their pay I cannot.

Your Excellency desires that I would let you know concerning the Indians. As for them I have no certain account of. Washington county informs me they are in some fear of them. There is no damage done as yet that I know of. You acquaint me that you have some thought of going yourself to Charles Town, as Congress has recommended it to you. I would be extremely obliged to you to take the command—for as you have appointed me in those parts believe me Sir, no man living will be more acceptable to me than yourself. This I expect you will look on to be no flattery.

As for the lower Brigade, I know of no better way for them, than the way you have mentioned, that is to go by Camden, if they do not make into the Salisbury Road. There they must go by the Post Road, which will be attended with no great difficulty and Expense as the Ferrys are large.

You have mentioned to me nothing in regard of Commissary, but for that I must provide. But I suppose it will be prudent to appoint the former contractors.

From Sir, your humble servant,

GRIFFITH RUTHERFORD.

GOV. CASWELL TO COL. WM. AYLETT.

[From Executive Letter Book.]

NewBern, 25th Oct. 1778.

Sir:

I yesterday received a letter from Wm. Buchanan Esqr., Commissary General of purchases, informing me that salt provisions are much wanted in the Army, and advising a quantity of Barreled pork and Beef purchased in this State, for the use of the United States, at any expense or risk, to be sent forward, and if through the Inland Navigation to give you notice thereof, in consequence of which a vessel will in two days from this proceed to take in a load of about six hundred Barrels, at this place, and go directly to South Quay, where 'tis probable she will arrive in about twelve or fifteen days from this time. There are about 350 Barrels at a place called Washington, in the forks of Tar River, which I have also given directions to be sent on to the place with all expedition.

You will be pleased to appoint some person to receive those provisions at the South Quay, and lest such person should not be on the spot at the time the vessels which carry them arrive there, the Gentleman who is to direct this business is advised to order the persons who carry it, to apply to a Magistrate or some Gentleman known to be a friend to American Liberty to direct where they shall be stored 'till your orders arrive. Please to advise me, on your receipt of this letter, and also what quantity of provisions you receive in consequence of my directions.

I am Sir, your most Obedt. Servt.

R. CASWELL.

GEN. JOHN BUTLER TO GOV. RICHARD CASWELL.

[From Executive Letter Book.]

Orange County 28th Oct. 1778.

Sir:

With this you will receive a return of the Regiments of Militia for the Counties of Caswell, Chatham and Orange. I am sorry that I have it not in my power to make returns for the Counties

of Granville and Wake. I sent Express to the Commanding Officer of those Counties requesting that they should call a general Muster and order their drafts and make returns to me agreeable to instructions from your Excellency of the 15th July last. I have not yet received any return, nor reasons why it is not done. I am

Your most obedient Servt.
JOHN BUTLER, B. G.

GEN. ALLEN JONES TO GOV. CASWELL.

[From Executive Letter Book.]

Oct. 28th 1778.

SIR:

The men who are to march from Halifax will soon be ready, but I know not what we shall do for a person to victual them, unless Mr. Amis undertakes it. There is no other person who is able at so short a warning, to supply them, as he has some public provisions by him. If he undertakes it, he will want a considerable sum of money. I daily expect an express to your Excellency, to countermand the march of these troops which I most heartily wish as the expectation is attended with an amazing expense, and will certainly be of no advantage. Virginia was required to send one thousand men, but the Assembly are so well assured that it is to no purpose, that they have refused to send a man. There is nothing new here worth relating. I am with the most sincere respect and esteem,

Your Excellency's Mo. Ob. Servt,
ALLEN JONES.

GOV. CASWELL TO JONATHAN DUNBIBIN, JOHN WALKER, THOMAS BLOODWORTH, ESQRS., WILMINGTON.

[From Executive Letter Book.]

KINGSTON, 28th October 1778.

GENTLEMEN:

Your letter of the 24th Current I have received and referred the consideration to the Council, and in pursuance of the advice of that Board, I do request you permit the Gentlemen to remain in this state, on their parol until the meeting of the next General Assembly, that is to say, Messrs. John Burgwin and Robert Hogg, to Mr. Burgwin's plantation called the Hermitage, and Mr. Samuel Marshall to his plantation about seven miles from Wilmington. These parols you are also requested to have signed by the respective Gentlemen, and transmit them to me as soon as the same is practicable. You are further requested to order the Flag to depart the State in twenty four hours after you receive this notice. A permit will be sent the Captain herewith for that purpose accordingly. I am Gentn.

Your mo. ob. Servt.

R. CASWELL.

GOV. CASWELL TO GENL. JOHN ASHE.

[From Executive Letter Book.]

KINGSTON, 28th October 1778.

DEAR SIR:

I had your letter of the 25th Current handed me, the evening of the 26th, and have detained your servant a day longer than he wished in expectation that it would be in my power, by this morning, to acquaint you more fully the Resolutions of the Council, that Board being appointed to meet here yesterday. The members met in the evening, but as there were but barely a quorum they rather declined entering fully on the Business I had to lay before them, but I incline to think from the observations of some of the Gentlemen they will think it inconsistent with the

duties of my present appointment for me to march with the Troops. Indeed your observations and those of some other Gentlemen have been such, as to incline me to think somewhat differently from what I did on the receipt of the requisition from Congress.

The Troops are to march in consequence of an Act of Assembly, empowering the Governor to send an aid to any part of the United States, Congress shall require. That act empowers the Governor, if he does not march with them, to appoint the Commanding officer a Major General. I am now apprehensive, I shall not go, and cannot think of offering that appointment to any other Gentleman than yourself. Let me entreat you to accept it. I am really sorry to hear of Mrs. Ashe's indisposition, but hope she will soon recover, and that you will be able to get over the other difficulties. One of them will be in some measure or partly removed, by a more liberal allowance from the public to this appointment. This request I make you not only from my own inclination, that you should have this command, but also on a full conviction that the Troops will more readily turn out; indeed I have engaged to some of the officers who have turned out here that either you or myself would command them. The Commissioners for making the money are to meet here to proceed upon that business the first of next month, and I daily expect the remainder of my Draft for the 500,000 Dollars from the Continental Treasury to arrive. The duties of your office of Treasurer will call you here. I wish you may make it convenient to come early in the month, when I shall have an opportunity of conversing with you on the foregoing subject, but if you can let me know your determination respecting the Command sooner, you will oblige me. If you go, I will give every assistance to your Treasury office, that I possibly can. I am Dr Sir, with due respect and esteem,

Your mo. obedt. Servt.

R. CASWELL.

JOHN GIBSON TO GOV. CASWELL.

[From Executive Letter Book.]

PHILADELPHIA, Oct. 29th, 1778.

SIR:

The accounts of the late Mr. Kennon who was by Genl Lee appointed in the year 1776, both pay master and commissary to the Virginia and North Carolina Troops have been some time under the notice of the Continental Treasury Board but have not as yet received a final determination, as the whole of the accounts are not yet brought in. One charge which ought to be made against Mr Kennon's estate is a Bill drawn by Genl Moore in favor of Col Polk for ten thousand pounds So. Carolina currency. This advance does not appear to have been credited by Mr. Kennon, but Mr. David Flowers of your State in a letter to Mr. Harnett says that this sum "was very fairly credited in a settlement with 'this' State, a certificate of which I hope the Governor has long since transmitted to Congress." As this certificate has not come to hand, I am on the part of the Commissioners on the Treasury to request of your Excellency to order to be forwarded to that Board as soon as possible, that the State may be charged accordingly. I have the honor to be with the greatest respect

Your Excellency's mo. ob. humb. Servt.

JOHN GIBSON.

GOV. CASWELL TO PRESDT LOWNDES OF S. C.

[From Executive Letter Book.]

NORTH CAROLINA, 30th October 1778.

SIR:

I had the honor to receive the packet herewith addressed to your Excellency, under cover yesterday, and take the earliest opportunity in my power of transmitting the same to you by express.

I have had the pleasure of receiving two letters from you, which hitherto have remained unanswered; the first respecting

Indians taken in the late Troubles with the Cherokees, and held in captivity by the subjects of this State. I have made all the Inquiry in my power without being able to learn where any of these people are detained in this State; indeed I have lately written to Capt. Robertson, Superintendent for this State, in the Cherokee Country to make inquiry there and give me information in whose custody the Indians suggest their people are, and to assure them that if such there are, they shall be delivered up.

In the other letter you do me the honor to inform me of the conduct of the Indians Bordering on the three Southern States in the Union, and your suspicions of their hostile intentions, at the same time recommending an union of force, as the only means of bringing these Barbarians to a proper sense of the strength and power of the States. In this matter sir, I have the honor to coincide with you in sentiments, and take the liberty of assuring you that every thing in my power shall be done towards carrying such a plan into execution.

Congress have required an aid of 300 men to be sent from hence to the states of South Carolina and Georgia; the men are collecting, and I flatter myself will be ready to march by the middle of November, but I fear their fire arms will not be such as I could wish them. Be pleased to inform me by the return of the express if your State can furnish us with any number of good Firelocks whilst our people shall be on the expedition, and if any what number. It is not improbable but I may march with those Troops in which case I promise myself the pleasure of visiting Charles Town.

I am now upwards of forty miles from NewBern, and have not your letters with me. If I have not answered them fully, you'l please to attribute it to that circumstance.

I have the honor to be with great respect and esteem, Sir,

Your Excellency's most ob. & very huml. Servt

R. CASWELL.

P. MALLETT TO GOV. CASWELL.

[From Executive Letter Book.]

Campbelton Nov. 1st, 1778.

Sir:

Since we have seen your Excellency's proclamation we have exerted ourselves the more in procuring provisions. I myself have advanced all the money I possibly could muster, and now beg leave to acquaint your Excellency that my brother or Mr. Porterfield will wait on you about Friday next. Should we be disappointed in receiving money I should be very sorry. I thought proper to drop this line fearing your Excellency might be from home, in case some orders might be left for us. We have once applied to the Treasurer without success. 5,000 will go but little way in putting up Beef or Pork this season. Indeed I have already exceeded that sum in contract, yet I well know I have not a right to ask for more money, without further advice, neither is there any fear of my losing money. Should you think proper to order more money, by the next opportunity you will have more particular advice. I am

Your Excellency's Mo. Ob. Servt.

P. MALLETT.

JAMES DAVIS TO GOV. CASWELL.

[From Executive Letter Book.]

New Berne, Nov. 2nd, 1778.

Sir:

A severe fit of the fever has prevented my coming to Kingston, therefore send my Son up with the Bills. I hope to get clear of it in a few days when I shall be up myself. It has happened a little unlucky for me, here yesterday, in drafting the levies, the lot has fallen on my son Thomas. He is now my chief hand in the Office, and if he goes, I must be forced to drop the Newspaper as one of my people is at Kingston about the money, and the other a drunken wretch, whom I cannot depend on one hour. My other Son is gone up the country, with the Laws. As he is

already in the service of the public, would it be possible for your Excellency to excuse his marching with the Troops as I will endeavour to get a man in his room. Nothing but his peculiar situation at this time in carrying on the Newspaper would induce me to make such request. I am Sir, with great respect Sir,

Your Excellency's Mo. Ob. Servt.

JAMES DAVIS.

P. MALLETT TO GOV. CASWELL.

[From Executive Letter Book.]

CAMPBELTON, Nov. 3rd 1778.

SIR:

As these two months are the only months in the year to procure salt provisions, I thought it necessary that no time should be lost before that article was secured. I am to inform your Excellency that we have already killed cattle enough to make 150 bbls, and we have a considerable quantity more engaged. Our cattle in this neighborhood are exceedingly good and at the same time very high in price, altho' not so high as in the back country. We can make up from 500 to 700 bbls. of the best of Beef, and some pork. The latter will be a scarce article in these counties partly owing to the want of corn—and partly owing to the prices given in Virginia. Cattle and Pork both are so high in price at Hillsboro; and poor in quality; that as yet our Contracts that way are small, and if your Excellency judges it necessary that any quantity should be lodged at that place our only way will be to drive from hence. We have in the mean time taken care to secure salt and barrels; do believe however that not more than 300 or 400 barrels of pork can be had both at Hillsboro and this place.

Our present contracts now amount to about 6000, and our future engagements depends on your Excellency's orders. My brother waits on you for money—any sum your Excellency shall

judge proper to furnish us with. I will be accountable for whatever sum my brother receives. I am

Your Excellency's Mo. Ob. Servt.

P. MALLETT.

Prices current. Steers 5 years old and upwards £23 to £25, do. 4 years old £21. Hogs at least £8 per cwt. Empty barrels, 24 shillings.

A. MACLAINE TO GOV. CASWELL.

[From Executive Letter Book.]

CAMPBELTON, 31st Oct., 1778.

SIR:

The bearer Donald Campbell waits on your Excellency to be admitted to take the oath of Allegiance to the State. He intended to apply to the County Court for that purpose, but I dissuaded him from it, as the Justices seem to be miffed that any person whom they have ordered to leave the country should be admitted as Citizens. They seem to be of opinion that the power is wholly vested in themselves, and that no other power in the State should interfere in their proceedings, and indeed said openly that they might as well refuse to intermeddle in these matters, but send all persons whatever to the Governor. I know that they do not think it improper to admit persons whom they have ordered away, because they did it last July Term. Apprehensive therefore that they would confine Mr. Campbell, I have advised him to wait on you and hope he will be able to give sufficient reasons to induce the Council to think that he ought to be admitted as a Citizen. I am with much respect Dear Sir,

Your Excellency's Mo. Ob. Servt.

A. MACLAINE.

COL. ALEX MARTIN 2ND REGT. TO GOV. CASWELL.

[Erom Executive Letter Book.]

Camp Near Germantown Nov. 4th 1778. (7.)

May It Please Your Excellency:

The different operations of the American Army I make no doubt you have been made fully acquainted with since the junction of the North Carolina Troops by Genl. Nash, until the 4th of last month, when we were unfortunately deprived of that brave officer by a cannon Ball, wounding him in his left thigh thro' his horse, as he was leading on the Brigade to attack the Enemy near this place. He languished three days with his wound and died justly lamented by his Brigade; however we think that he had not that respect shown him by the general officers as was due to his merit, either in his command or at his death. The number of general officers commanding a great army perhaps may be the apology that particular attention could not be paid to every one as they deserved. Col. Irwin is missing, we are afraid is among the dead, as we can not hear from him among the prisoners. At the same time we lost Capt. Turner of the 3rd Regiment, who fell by a musket shot. This brave officer greatly distinguished himself under my command in the eighth infantry at Chads-Ford, and in general did honor to that corps, commanded by Genl. Maxwell. At the same time Col. Buncombe was taken Prisoner, but we expect to have him exchanged soon from the great number of prisoners in our hands from the Northward. It is certain that on that day we retreated from a victory, as Howe had given orders to retreat over Schuylkill, his Troops being drove 3 miles before Cornwallis reinforced him from Philadelphia, which in turn thro' the smoke and Fog of the morning compelled us in confusion to retreat but with no great loss, considering our situation. About 500 is said to be missing, chief of whom are Militia. The Enemy acknowledge this the severest stroke they have met with in the war. Their Genl. Agnew is killed, Grant and Gray, with a Hessian Genl. wounded, since said to be dead. Count Donop, a Col. Commandant of a Hessian Brigade, a few days ago fell in our hands, who attacked our Fort at Red Bank on Delaware with one thousand

men, was defeated by Col. Green, with the loss of one half his party, himself taken prisoner with 300 men. He is badly wounded, his thigh being shot off, but great pains are taken to recover him. Burgoyne's surrender with his whole army to Genl Gates has thunder struck Howe and all the Tories here. While I am writing a Gentleman arrived in camp from the Northward, who gives me an agreeable information that Genl. Heath, since Clinton left Rhode Island, passed over to that place, took about 700 prisoners, with 21 pieces of Brass Cannon. Should this be true, the Enemy's affairs are almost ruined to the Northward. What Howe's intentions are we cannot learn, whether to attack us again or retreat from Philadelphia, where he is cooped up. Only one chevaux de Frieze is injured, all the rest with the Forts stand firm, since the loss of the Augusta 64 Gun, and the Apollo, a 36 Gun, ship of War, before the chevaux de Friezes, whom they blew up, being run aground to avoid our Fire Rafts. They are cautious of venturing up the River in such a dangerous station again. Though we retreated from them at Chad's Ford, and at Germantown, yet they have nothing to boast of but their keeping the Field.

The Enemy's strength on their landing at the head of Elk is said to be about 17,000 which number by Desertions and those wounded, sick and killed must be about 5000 reduced. Their force at present may be about 10,000 or 12,000 perhaps. At the time we joined the American Army was really weak, at present it consists of from 16,000 to 20,000; as the Militia go and return we increase and lessen in our numbers.

As to myself I am almost worn down with fatigue, being detached on our joining the Grand Army with a part of the Carolina Brigade to form a Corps of light Infantry, under the command of Gen'l Maxwell, the active duties of which service have been almost too much for my Constitution. I am determined in a few days to resign, and return to Carolina, and leave the command to Col. Sumner. General Hand it is said was appointed over Col. Sumner a Brigadier for North Carolina, which if true will take the command.

I have had censures liberally bestowed on me by some officers in the 4th Battalion for my conduct at Germantown, but with pleasure I can inform you I am honorably acquitted by a grand

Court Martial and am sorry to inform you that a censorious spirit too much prevails in the army, that the conduct of almost every General and Commanding officer has been arraigned by those of inferior Rank, & generally acquitted, particularly Sullivan, Stephens, Wayne, Maxwell and Col. Maryland. I have the honor to be with esteem and respect

Your Excellency's mo. ob. huml. Servt.

ALEX. MARTIN.

☞ [This letter is dated in the letter book Nov. 4, 1778, but this is evidently a mistake of the copyist for 4 Nov 1777.—W. C.]

HON. JOHN PENN TO GOV. CASWELL.

[From Executive Letter Book.]

PHILADELPHIA, Nov. 5th, 1778.

DEAR SIR:

The bearer Mr. Seagrove this day informed me that he should set out to-morrow for the Southward, and that he had some business to transact at New Bern. I have taken the liberty to introduce him to your Excellency as a stranger. Enclosed I send you a Copy of the alliance between France and the United States; there are a considerable number to be printed for the use of the different States. I thought it my duty to inform you of the Treaty as soon as I was at liberty to do it. The reason why it was kept back was, that we have directed our Minister in France to apply to that Court to strike out the eleventh and twelfth articles.

By your last accounts from Europe, Spain has a large Fleet, ready to act. Her Flotas have got home and that Court seems disposed to act vigorously against Great Britain in a short time.

From Genl. Washington's letter this minute rec'd it appears that the Enemy intend to evacuate New York soon, a very large number of the Troops having gone on board Transports.

The Delegates from No. Carolina intend to write to your Excellency soon, an official letter; they only wait the determination of Congress relative to a matter of a public nature, which I expect will be in a day or two. I have the honor to be with great respect your Excellency's mo. ob. Servt.

JOHN PENN.

GOV. CASWELL TO PRESDT. LOWNDES OF S. C.

[From Executive Letter Book.]

New Bern 5th November 1778.

Sir:

The Packet and Letters herewith enclosed came to hand last night, they are now sent on by express.

I had the honor of sending you an express a few days past, his despatches I hope will reach you in a day or two.

Congress required 3000 men to be sent without loss of time, to the aid of South Carolina and Georgia. These men are collecting, they are to Rendezvous the 10th Instant, and will march as soon thereafter as practicable. Congress have now required 2000 more to be raised and sent on the same service. This requisition I shall lay before the Council tomorrow to have their resolutions thereon, I shall do myself the honor to acquaint you with as early as possible. I am sir, with very great respect and esteem your most obedient servant,

R. CASWELL.

GOV. CASWELL TO GENL. ALLEN JONES.

[From Executive Letter Book.]

Kingston November 7th 1778.

Dr Sir:

I had your favor some time past, in answer to my letter requiring a Draft of the Militia from your Brigade. I thank you for your candid opinion respecting the requisition of Congress. But am induced to believe from your own words, that you had not thought much on the subject. You say there is no law empowering me to send the Militia out of the State. Beg leave to refer you to the aid Bill passed this time twelve months, which being considered I flatter myself you will think differently; that the Council do so, you will understand by an official letter from me of this date, which will be handed you with this, that being sent you in consequence of their advice founded on the Law above attended to, and the requisition of Congress, that we are not

bound to perform every requisition made by Congress, that I agree with you in. But that the State is bound to perform the engagements she makes, by the solemn form of an act of Assembly, I should suppose no man would doubt. That the Act of Assembly I allude to is before Congress, and the propriety of their requisition founded thereon, I can scarcely think would be called in question by any Gentleman, who reads that Act. When did the Campaign next after passing that act, commence? Is it yet ended? I answer the Campaign began about the first of May, the Troops still keep the field, of course 'tis not ended, why did the Assembly confine, say the Volunteers and Drafts sent from this State, should serve in the next Campaign not exceeding twelve months, if it was not their intention to limit the time of their service, and that if it was not necessary they might not be kept so long in service. Suppose it was their intention this service should be performed in twelve months from the time the Campaign began. I answer this requisition is then consistent with such intention as the men will be discharged in twelve months after the opening of the Campaign. These Sir are my own thoughts on the subject. I wish you to consider them. As to money to defray the expense of this expedition, Congress will, I expect, forward it; in the mean time I must borrow, and if I should apply to the public Treasurer to borrow a part of the money sent to defray the expense of completing our Continental Battalions, and replace it on the arrival of the money, I hope it will not be considered as a breach of duty, either in the Treasurers or myself. Your favor of the 28th ulto. I have before me. I shall endeavour to furnish Mr. Amis with money to victual the Troops from your district, as well the former Draft, as those now required to this place.

Congress have made a second requisition to Virginia, 'tis possible they may alter their sentiments. If we are to pay any regard to our Act of Assembly, I think it leaves us no alternative; but of this I have said enough, perhaps more than may be agreeable to you, but believe me 'tis without design of offending, but merely treating you with that candor which I wish to do on all occasions.

I am with very great esteem and respect Dr Sir, your most Obedt. Servt.

R. CASWELL.

GOV. CASWELL TO GENL. GRIFFITH RUTHERFORD.

[From Executive Letter Book.]

KINGSTON, 7th November 1778.

SIR:

I have lately received (by Express from Congress) that recent and repeated accounts have been received by them of the Enemy's design to make an attack on South Carolina, and that an embarkation of Troops for that purpose had actually commenced at New York, previous to the 18th ulto. which had induced Congress to request the Governor of Virginia and the Governor of this State to forward with all expedition the men formerly required to be sent for the defence of South Carolina and Georgia, and also that an additional number of 2000 men be raised in this State and forwarded by me with all possible expedition to Charles Town at the charge of the Continent, at the same time Congress have assured me that the necessary remittance of money for payment of these Troops would be made in a few days.

I am therefore to request you will forward the detachment lately ordered from your Brigade to Kingston with all possible expedition, and that you proceed to raise from your Brigade the further number required in the enclosed List, to be officered agreeable to the Militia Law, having regard to the number already raised and to be raised in the respective Counties. These men you will be pleased to Rendezvous at *Kingston* and Elizabeth Town on the 25th Instant, (November) where they as well as the former will receive (on their arrival) their respective Bounties. I hope you have appointed Contractors or Commissaries or both, to purchase and issue provisions to the men from your Brigade until their arrival here. If that is not done let me entreat you to do it, not only for those who are expected here the 10th Instant, but also the men now required. The whole of your men required for this service you will please to direct to be fitted out in the best manner the times will admit, with arms and Camp necessaries.

ORDERS TO GENERAL RUTHERFORD.

The foregoing is a Copy of what I have written to Genl. Butler and nearly similar to what I have wrote to the other General officers. I should have sent off the express yesterday, but I expected Mr. Blount the paymaster here, on his way to your Camp, but his not coming has obliged me to send this express. The money is arrived from the Northward, the balance of my Draft for 500,000 Dollars, from which I have and shall borrow for our present exigencies, and replace the same on the arrival of the money to pay these Troops. Pray push on the men as fast as possible to Charles Town. The late accounts are alarming. If you can send your Brigade, in two or three divisions, it will be best. You will appoint a Purchasing and an issuing Commissary, who ought to give security in ten thousand pounds for the faithful discharge of their respective offices, and applying and accounting for what money they may receive from time to time in virtue of their appointments. The Bond must be payable to the Governor and his successors for the use of the State. Money for the Commissaries shall be sent up with the paymaster whom I every moment expect and will send, on his arrival directly to you.

Give me leave to recommend to you some discreet good man, capable of serving you in character of Secretary, who will be able to enter your orders in the most minute manner and issue Copies, write despatches, and other occasional matters. Such a man a little acquainted with Military matters you will find very useful to you, and the public; if such an one cannot be employed in your part of the Country, please to let me know and I will look out for one and recommend to you. Direct your purchasing Commissary to be very particular in keeping accounts of every particular purchase he makes, and to take receipts to be produced as vouchers, on settlement of his accounts. The money that will be advanced him from time to time, will be continental, so that he may engage in any of the States, that money in payment. Let me know by return of the Bearer what time you think your first Division will reach Cambden, and if possible a Division from the lower Brigade will join them; but don't let them wait; if you do not go on with the first division, write to the Governor of South Carolina, and also to the commanding officer of the Conti-

nental Troops there, acquainting them of the number of Troops you have forwarded and at what time you expect to proceed with the remainder of your Brigade. Of all Public Letters, Despatches, and orders you are required to keep copies, and send me duplicates of them, to the end that I may, (or the commanding officer) judge of the necessary measures to be taken in pursuance of the same.

Thus Sir, I have wrote fully what occurs to me at present; if any thing further I will write you by the paymaster and others as occasion may require.

I am Dr General, with very great esteem & respect Sir,

Yr mo. obedt. Servt.

R. C.

GOV. CASWELL TO PETER MALLETT ESQ.

[From Executive Letter Book.]

Kingston, 8th November 1778.

Sir:

Your favor of the 1st and 3d current I have received and agreeably to your request have furnished your Brother with £10,000 which I presume will answer your present demands for provisions, on account of the public, tho' I wish you to engage further in the business of the States, by supplying provisions to a detachment of Militia from the Wilmington Brigade, and the regular Troops in that District, both of which are now collecting at Elizabeth Town.

I also recommend your procuring what flour, Beef and Pork which may be necessary to march the Troops, which may consist of about 2500 men or perhaps 3000, from Elizabeth Town to South Carolina. The Cattle and Hogs may be driven with the Army or lodged in their way. But I fear unless you secure corn meal or flour, in time to be either lodged in the Route of the Troops or marched with them, it may be scarce.

I do not wish you to be at any extraordinary trouble or expense in lodging provisions at Hillsboro'. The prices of Cattle and Pork are high, but they must be given; do not exceed 20 dollars

per cent for good pork, without previously addressing me, that you cannot buy for that price. I am much hurried and cannot add, farther than that I am with very great esteem Sir,

Your obliged & obedt. huml. Servt.

R. CASWELL.

P. S. Please to inform me as soon as you can, if you will undertake the business now recommended, and what sum may be necessary to furnish you with for that purpose.

HON. CORNS. HARNETT TO GOV. CASWELL.

[From Executive Letter Book.]

PHILADELPHIA 10th Nov. 1778.

DEAR SIR:

The bearers of this are Mr. Walton and Mr. Telfair, two of the Georgia Delegates, Gentlemen of integrity and honor, and as such I beg leave to introduce them to your Excellency. To those Gentlemen I refer you for news. I shall by next post write you a longer letter, and am with the greatest respect,

Your Excellency's mo. ob. & very huml. Servt.

CORNS. HARNETT.

HON. CORNS. HARNETT TO GOV. CASWELL.

[From Executive Letter Book.]

PHILADELPHIA, 10th Nov. 1778.

DEAR SIR:

I had the honor of receiving your Excellency's favor of the 26th October yesterday evening. The Post setting out this morning, and Congress being met, puts it out of my power to write a long letter. By every intelligence lately received from New York, 'tis imagined the Enemy intend the total evacuation of that Port. I have still my doubts. A Fleet of 106 sail left that placed the 3d Inst. composed of Men of War and transports full of Troops. Some think they are bound to the Eastward, some to South Carolina, others to the West Indies.

I fear Mr. Hunt will not be able to put the accounts of our State in proper train for a general settlement. I wish it could be effected as soon as possible. I make no doubt your Excellency has 'ere this received the 400,000 dollars. 150,000 more will be sent off in a few days. Congress have much at heart the routing that nest of Pirates at St. Augustine, and have great expectations from your Excellency's exertion. Flags of Truce are thought dangerous as they often bring seditious papers in order to distribute them amongst the people. You will no doubt Sir, endeavour to prevent the ill use which may be made of these kind of sanctions. I have the honor to be with great respect

Your Excellecy's mo. ob. huml. Servt.

CORNS. HARNETT.

PREST. RAWL. LOWNDES OF S. C. TO GOV. CASWELL.

[From Executive Letter Book.]

CHARLES TOWN, 10th Nov. 1778.

SIR:

I had the honor of receiving your Excellency's favors of the 30th October, yesterday by your Express, together with the despatches from Congress. I have received no further advice relative to the designs of the Enemy against this State, nor does the President make any mention of the matter, in his letters accompanying his last despatches.

I am very sorry to inform your Excellency that the state of our army will not admit of our supplying your Troops with arms. The great losses and disappointments we have met with, in our endeavors to procure a suitable store, has rendered our stock inadequate to our own occasions, we should otherwise have been very happy in having it in our power to have imparted a share to you.

We shall be much honored in having your Excellency's presence among us. Being with very great Regard and respect Sir,

Your Excellency's mo. ob. Servt.

RAWL. LOWNDES.

WM. WHIPPLE, GOUV'R. MORRIS & NATH SCUDDER DELEGATES IN CONGRESS TO GOV. CASWELL.

[From Executive Letter Book.]

PHILADELPHIA, 11th Nov. 1778.

In Committee of Congress.

SIR:

The great and increasing difficulties in the Quarter Master and Commissary Generals' departments have induced Congress to adopt the Resolution, of which we have the honor to enclose you a Copy. Among the measures immediately necessary for placing these matters on a proper foundation, is the acquiring a knowledge of the proper resources of these States. The articles of Consumption which we could most particularly be informed of are Flour, Wheat, Rye, Barley, Oats, Corn & Rice, Beef, Pork, working oxen and Horses, Cider & Vinegar. The ignorance and the interests of mankind oppose so strongly our wishes in this respect, that after every effort and every prudent precaution our information will perhaps be of far less importance than could be wished. It is however our duty to aim at it, and we have no reason to doubt your Excellency's concurrence in the steps necessary to obtain what we have in view, especially when it is considered how readily your own good sense will dictate the impracticability of continuing the War, at least of continuing it, to advantage, while we remain supremely ignorant of the supplies our Country is capable of affording. We have to entreat that your Excellency, from your knowledge of the productions of the several parts of your State, would appoint some proper persons in whose industry and secrecy you can confide, to make proper lists, through the districts you shall severally allot to them, of the quantity and number of such of the articles above named as are produced in it, which may probably be over and above the necessary consumption of the Inhabitants, and also as nearly as possible the quantity &c. which they consume over and above their own production, or of what they do not produce. We hope that these lists may be transmitted to us with all convenient speed, to the end that those proper arrangements may immediately be

made, for the ensuing campaign. Upon transmitting an Account of the expenses which may accrue on this business, they shall immediately be paid.

You will perceive Sir that every precaution should be taken to prevent this object from transpiring lest as on many former occasions, the devoted adherents of Lucre should make a gain of the public distresses. We are respectfully

Your Excellency's most ob. huml. Servt.

NATH. SCUDDER.
GOUV'R. MORRIS.
WM. WHIPPLE.

WM. WHIPPLE, GOUV'R. MORRIS, NATH. SCUDDER TO GOV. CASWELL.

[From Executive Letter Book.]

PHILADELPHIA, 11th Nov., 1778.

In Committee of Congress.

SIR:

Permit us to call your attention for a moment to the detection and punishment of a crime against the public. Persons in office under the Continent, have, as we are informed used the monies entrusted to them, in the engrossing of articles upon the public. This seething of the Kid in its Mother's milk, calls for the most exemplary punishment. We pray that you will urge the Legislature of your State, to pass Laws for the prosecution and punishment of offenders of this kind in future, and that in the interview your Excellency will cause any who may in your State be guilty of the like crimes, to be secured for trial in safe and close custody. We are respectfully

Your Excellency's mo. ob. hum. Servts.

NATH. SCUDDER.
GOUV'R. MORRIS.
WM. WHIPPLE.

GEN. W. SKINNER TO GOV. CASWELL.

[From Executive Letter Book.]

PERQUIMANS Novr. 13th 1778.

DEAR SIR:

In the course of the Draft made by Col. Harvey in this County, the Lot fell on sundry Quakers. They have been petitioning him for a discharge under the Militia Law, on the payment of Twenty-five pounds; he and myself differ in sentiments, respecting that Law. It appearing to me by the Law for marching the Militia, as an aid, no provision is made for the relief of any such, and there must be an inconsistency, to offer a Bounty of Twenty pounds for Volunteers, and at the same time accept of Twenty-five pounds to exempt a person. It is therefore at the request of Col. Harvey I now address you, and am sorry to be giving you trouble on so trifling an occasion, the enclosed certificate throws some light on the affair. Nine of the persons appear to be in unity, the 10th man (the Bearer) altho' discovered by them, merits every indulgence that any of the society doth. Col. Harvey wishes your directions how to proceed, whether to detain them, or to discharge and levy the Twenty-five pounds. The drafts from this District is very backward in marching, several of the Counties not having made their draft, until the 5th instant. The Currituck Militia has passed me this two days. I am urging the officers of the other regiments to hasten their march. Being in some measure restored to my health, purpose setting of for Kingston in about six days. I am with the greatest respect Dr Sir, your mo. ob. servt.

W. SKINNER.

THOS. NEWBY, CALEB WHITE & GEORGE WALTON TO COL. THOMAS HARVEY.

[From Executive Letter Book.]

To Col. Thomas Harvey:

As to Mr. Joseph Newby he is not in unity with the Society, therefore could not obtain a certificate, but we have thought it necessary to inform thee, according to our knowledge, how the

case stands with him, hoping thou wilt shew as much favor towards him as the circumstance will admit. He fell in love with a young woman, so nearly related to him, that our discipline would not admit them a marriage, and notwithstanding he was precautioned of it, yet he married her before a Magistrate, for which according to our Discipline we were obliged to disown him. Yet we believe his principles are not altered as to bearing arms. If thou would be so favorable to write a few lines to the Governor, on his behalf, if thou canst not relieve him thyself, and it will conduce much to the satisfaction of thy friends.

THOS. NEWBY,
CALEB WHITE,
GEORGE WALTON.

[From Executive Letter Book.]

To Col. Thos. Hervey or any other of the Militia officers whom it may concern:

These may certify that the following persons who have been drafted, are such as are members in unity with the Society of us the people called Quakers, and could obtain certificates, was there a meeting in course proper to apply to, viz: Humphrey Park, Thomas Elliott, Job Smith, Miles Elliott, Benjamin Albertson, Forster Toms, Thomas Draper, Silas Draper and Joseph Medlin. Certified by us.

JACOB WILSON,
CHALKLEY ALBERTSON,
CALEB WHITE,
GEORGE WALTON,
WILLIAM NEWBY,
THOMAS NEWBY,
WILLIAM ALBERTSON,
MARK NEWBY,
THOMAS WHITE,
BENJAMIN WHITE.

11th of the 11th month, alias, Nov. 1778.

COL. ANT. LYTLE TO GOV. CASWELL.

[From Executive Letter Book.]

Camp near Haw River 13th Nov. 1778.

Sir:

Enclosed you'll receive a return of the New Levies from the District of Hillsboro that are at this time, under my command, on our march to the aid of South Carolina. I consulted with Genl. Butler on the expediting of marching, and concluded that we must wait for the Militia, who march from this place this morning, with all possible despatch to Salisbury. It was not in my power to march without the Militia, there being no contractors for the new Levies. Col. Hart who contracts for the Militia is obliging enough to furnish our men with provisions, until it is in the power of our Contractor to supply us. Col. Thackston's infirm health will not admit of his marching with the Troops; he has informed me that he will endeavour to join us at Cambden. Should your Excellency not think proper to order a Superior Continental officer to take the command of the new Levies, I shall with the advice of Majors Dixon and Armstrong, endeavour to conduct the Troops as well as in my power, agreeable to any instructions that I may receive from your Excellency or any other superior officer. Genl. Butler will have this conveyed to your Excellency by express. I am with respect your Excelly's Mo. ob. Servt.

ANT. LYTLE COL.

GOV. CASWELL TO GENL. GRIFFITH RUTHERFORD.

[From Executive Letter Book.]

Kingston 13th Nov. 1778.

Sir:

I have at length despatched, Mr. Thomas Blount with a large sum of money to pay off the regular Troops and Bounty of the Militia, going to the aid of South Carolina, and Georgia, from the Districts of Salisbury and Hillsborough. He is to let the Commissary and Quarter Master by you appointed have any reason-

able sums you may direct, on their giving the security I in my last letter to you by Shute mentioned.

You will be pleased to make me as early a return as you possibly can as well of the Continental Troops and New Levies as of the Militia forming your Brigade. What Militia and Continental Troops are here will be marched from hence in about three days, without waiting for the Halifax and Edenton Militia, which I fear will be longer coming.

Please to inform me if your Commissary can lay in provisions convenient to be transported for the subsistence of our Troops, whilst in South Carolina, if he can the prices of Flour, Cattle and Pork, and what sums it will be necessary to furnish him in money. I mean not hereby to require him to engage more than for your Brigade, until you hear further from me. Pray don't omit letting me hear fully from you on all occasions. I am with great respect and esteem,

Your most obedient Servant,

R. CASWELL.

PREST. RAWL. LOWNDES OF S. C. TO GOV. CASWELL.

[From Executive Letter Book.]

CHARLES TOWN 14th Nov. 1778.

SIR:

I had the honor of receiving your Excellency's favor of the 5th together with the Despatches from Congress by your Express; your former messenger which brought your favor of the 30th Oct. was despatched before I received the order the latter. An invasion of this State appears now in a serious light, to Congress, and I am hope of aid by their liberal assistance, and the aid of our good friends from No. Carolina and Virginia. We shall be obliged to your Excellency if you will be pleased to despatch a messenger ahead with the account of the marching of your Troops, as soon as they set off and their numbers, and if your Excellency can encourage the bringing of stock, Cattle and other provisions into this State, they will meet with a ready purchase. I have the Honr. to be with very great regard Sir,

Your Excellency's mo. ob. Servt.

RAWL. LOWNDES.

GEN. JOHN BUTLER TO GOV. CASWELL.

[From Executive Letter Book.]

MOUNT PLEASANT Nov. 14th 1778.

SIR:

Agreeable to your orders dated at Kingston the 16th Oct. 1778, I immediately despatched the necessary orders to the Cols. of the respective Counties in this District and appointed them to Rendezvous at Hillsboro' on Thursday the 5th Inst. equipped as the Law directs; you will see by the enclosed return, how the different Counties have turned out on this occasion. I sent Col. Ramsey home with pressing orders to use every means in his power, for apprehending and sending forward the delinquents in his County, and also send express to Col. Smith of Granville County requesting that he would with all possible despatch send forward the arms wanting from his County, under the care of Col. Yancey who was not at that time come forward, and he is not yet come. Yesterday I received for answer, that he would once more try, but hopes that I will not blame him, if he should fail in the attempt, but does not say when I may expect them. I have not yet heard from Col. Ramsey of Chatham County, have therefore thought it unnecessary to wait any longer, with a view of being reinforced from that Quarter, but hope that he will send them forward sometime hence. Yesterday morning the Troops marched from Haw River and will be joined by the company from Wake County, at Salisbury. I am informed by an officer from that County, that the men turn out very well, but as I have had no return, I cannot make it to you. Yesterday I received your orders for drafting 186 men, in this district, to be sent after those already gone, and beg leave to assure your Excellency that every thing in my power shall be done in compliance with them, and in the mean time shall endeavour to gather up those in this County, who are now hiding themselves in the woods. I have appointed Colonel Thomas Hart, Commissary, for the Troops already raised and will endeavour to engage him or some other person for those now to be raised, but I find great difficulty in engaging any for want of public money.

I am your most ob. Servt.

JOHN BUTLER,
B. Genl.

PREST. HENRY LAURENS TO GOV. CASWELL.

[From Executive Letter Book.]

PHILADELPHIA 14th Nov. 1778.

SIR:

I had the honor of writing to your Excellency the 18th ulto. recommended to the particular care of Gov. Henry of Virginia. Since which I have recd. none of your favors.

This will be accompanied by an act of Congress of the 10th inst. recommending to the Governments of North Carolina, South Carolina and Georgia to afford every necessary assistance to Major Genl. Lincoln, for enabling him to subdue the province of East Florida.

Congress have resolved that each Major General who shall go on the intended expedition, shall in case of the reduction of that province be entitled to a grant of three thousand acres of Land, each Brigadier to a grant of two thousand &c.

I shall enclose in the Packet with this, the two last Newspapers, which will inform your Excellency of our current intelligence. The Enemy's Garrison at New York continue to give tokens of a complete evacuation intended, but are slow in their motions, sullen and full of wrath. I have the honor to be with very great respect and esteem

Your Excelly's ob. & huml. Servt.

HENRY LAURENS
Pres. of Congress.

GEN. JOHN ASHE TO GOV. CASWELL.

[From Executive Letter Book.]

ROCKY POINT 15th Nov. 1778.

SIR:

I am in hopes that your Excellency will be more at leisure, and less encumbered with the affairs of State, than when I had the pleasure of seeing you. The Commissioners for striking the money, went off for New Bern to settle some affairs with Mr.

Davis, relative to altering the Types for the money as I set out on my return home, which induced me to think, that they can't have done any thing yet worth my attending to receive. I have therefore declined coming myself, and sent to inform your Excellency that I shall use my utmost endeavours to meet your Excellency at Elizabeth at the time you mentioned, and shall rely on your Excellency's very generous and friendly offer with regard to that business which I assure you Sir, I shall always retain a very grateful sense of. I should be much obliged to be informed whether I can have a public wagon for my Baggage, for there is none to be had in these parts, and if I can, when I may expect her, that I may have every thing in readiness, that she may not be delayed. Your Excellency mentioned something to me, relative to carrying two small field pieces. If you should, or South Carolina should think proper, to furnish the troops, with a few while they remain in that State, would it not be necessary to have an Artillery Company? If your Excellency should judge so, there is one Rees here, who was Lieut. in the Philadelphia Train that offers his services, and several persons used to Cannon may be had. This addition to the troops, I expect will not exceed the number that will fail appearing of the Drafts, consequently the requisition made by Congress.

I am Sir, with respect & esteem

Your Excellency's most obliged & humble Servant,

JOHN ASHE.

GEN. ALLEN JONES TO GOV. CASWELL.

[From Executive Letter Book.]

WHEELERS, Novr. 15th 1778.

SIR:

In obedience to your Excellency's official letter by Mr Amis, I immediately ordered an additional draft from the Militia belonging to my Brigade. I beg leave to inform you that they cannot possibly be equipped agreeable to orders, neither can they arrive at the General Rendezvous at the appointed time, the space for drafting

being too short. However I expect both Divisions to be on their March in a few days. I am with the most sincere respect

Your Excellency's Mo. obed. Servt.

ALLEN JONES.

Novr. 23d. As no opportunity has offered to send the above, I take this to inform your Excellency that the Troops Rendezvous at Halifax this day in order to march. They are totally destitute of Tents and Kettles, also arms. I am just setting out to buy Kettles at a most exorbitant rate. The Cols. Eaton & Atherton have done every thing in their power, to expedite the march of the men, but several unforeseen difficulties have hitherto obstructed it. I hope they will be at Kingston in a few days. I am with respect

Your Excellency's Obed. Servt.

ALLEN JONES.

COL. NATH ROCHESTER TO GOV. CASWELL.

[From Executive Letter Book.]

Hillsboro' 15th 1778.

Sir:

By this opportunity I beg leave to inform your Excellency that Lieut. Col. Abercrombie of this County has resigned his Commission, and that Hugh Taning is first Major, Thomas Taylor second Major, and Charles Abercrombie First Captain.

Your Excellency will please to comission these and send these comissions enclosed to me, by the bearer; also four sets Blanks for Captains, Lieuts. & Ensigns for this County. Your Excellency's ob. Servt.

NATH. ROCHESTER.

COL. THOMAS HART TO GOV. CASWELL.

[From Executive Letter Book.]

HARTFORD 15th Nov. 1778.

SIR:

Genl Butler not having it in his power to procure any other person to victual the men raised in Hillsboro' District, prevailed on me to undertake the same, but not without expectations, that your Excellency will grant me a Draft on the Paymaster, for a sum of money sufficient to enable me to perform the undertakings. The victualling the men raised last spring, to fill the Continental Battalions together with the two present Drafts, from the Militia will require at least twelve or fifteen hundred pounds which (if your Excellency think yourself justifiable in) I make no doubt you will order to be paid me, as provisions are not to be had without money, and then at a very exorbitant rate. If your Excellency thinks proper to favor me with such a draft, please send it by this express, and oblige your Excelly's mo. ob. Servt.

THOMAS HART.

GENL. GRIFFITH RUTHERFORD TO GOV. CASWELL.

[From Executive Letter Book.]

November 15th 1778.

SIR:

This Inst at six Oclock P. M. your Express Mr. Shute arrived by whom I acquaint your Excellency that I have already appointed the day of Rendezvous to be on the 19th Inst.; the 20th I hope to march to Charles Town with the first Division, and expect to reach Cambden by the 30th Inst. I think it expedient to march with the first Division myself and leave behind some Commanding officer who may cause this additional aid to be raised and fitted with all the necessary implements of War. Upon the receipt of your former Express I appointed Contractors, and an issuing Commissary.

I return your Excellency many thanks for your salutary advice in directing me to make choice of a Discreet active man for my Secretary. I hope to find one in this District equal to the office.

No Troops can be expected from Washington County. The Commanding officers in that County gives a lamentable representation of their condition. Their whole strength is employed in the suppression of the Savages and other inhuman hostile wretches, who have their livelihood from Carnage and Rapine. When I take a speculative view of the matter, think it prudent not to draft out of that County, Men, arms or Ammunition.

We have many malevolent implacable Enemies who range from place to place embracing every opportunity which presents itself to disseminate sedition amongst the Inhabitants. These sons of darkness have not once neglected an opportunity of doing a disservice when it was in their power. A favorable one is now in view. Our Troops, our Magazines and a vast quantity of provision for the support of nature, all drafted from our assistance. Our unchristian foes in strong alliance with savage enemy, might probably at this time think of revenging themselves. Some part of our ammunition we will detain and will expect all the Military Stores, from the lower Districts that can be spared. We don't think to lack in our aid to South Carolina notwithstanding the number of men which were to be raised from Washington County will be equally distributed over the whole District; by this means we will have our Quota, and not be distressed. Your opinion of this I should be glad to have. I remain with greatest respect Sir,

Your mo. ob. servt.

RUTHERFORD, GENL.

GEN. ALLEN JONES TO GOV. CASWELL.

[From Executive Letter Book.]

WHEELER'S, Nov. 15, 1778.

SIR:

Your favor of the 7th Inst., by Mr. Amis, came safe to hand, and altho' I cannot accede altogether to your Excellency's reasoning acknowledge that I formed my notions too hastily, and without weighing or even thinking of the act you mention. A letter would not serve to give you all my reasons for differing

in sentiment with you. I shall therefore reserve what I have to say on that head 'till I have the pleasure of seeing you. By your favor to me, you appear to think me finding fault with your conduct on this occasion. I really do not recollect how I expressed myself, as I wrote in a violent hurry. But I can assure you, Sir, it was far from my intention. All my quarrel was with Congress, for making this State a toll to others. But of this I shall say more when I see you. In the mean time give me leave to thank you for the Candor with which you write to me, and to tell you that I regard it as a mark of that friendship which you have, Sir, for

Your Excellency's Mo. ob. Servt.,
ALLEN JONES.

P. MALLETT ESQ TO GOV. CASWELL.

[From Executive Letter Book.]

HILLSBORO, Nov. 15th, 1778.

SIR:

I left Campleton a few days after my brother, who waited on your Excellency for money, orders and advice, but of course they could not yet reach me, altho' whatever is to be done at Campleton my Brother and Mr. Porterfield will put into execution, during my absence. As soon as I get Mr. Estes in a good way here in putting up salt provisions I shall go to Campleton, which will be in the course of this week, and unless my Brother was furnished with a considerable sum of money we shall be much distressed. In case I depart this place before the arrival of Gen'l Butler's express I shall leave a boy with Mr. Estes to follow me with such orders as your Excellency may find necessary to send me, and should your Excellency judge that more money is necessary to send me, General Butler tells me the bearer is a safe hand.

I am very sorry to be troublesome on a subject which at present your Excellency must be wearied with, from all quarters. By some means or other the Militia officers here have drafted me for a soldier to go on this southward expedition. I beg leave to acquaint your Excellency with a few particulars. That I have for

this two years stood every draft in Cumberland County, and that I was in that County on the last draft, that my absence from Cumberland during the summer season was 48 days, and that my stay here before the draft was 43 days only, and lastly whether doth my commission from his Excellency clear me or not. If I had been on the return list of the County where my abode is and where I represent or had the proceedings here the face of fair proceedings, I should not have troubled your Excellency, but they proceeded also, and did draft Mr. Porterfield and Mr. Estes. The former has not been but two days here since the Assembly and never 30 days in all, and the latter the only assistant I have here. I began to make an excuse for myself and Mr. Porterfield to the Gen'l and Col. of the County, who seemed to run wholly with the current of the people, when I thought proper not to lay myself under any obligation to them, but only which to abide by the Laws, rules and customs of my Country.

I am with esteem, &c.

P. MALLETT.

I have now the Commander's parole for 10 days.

SAML. JARVIS TO GOV. CASWELL.

[From Executive Letter Book.]

CURRITUCK LIBERTY PLAINS, 16th Nov. 1778.

SIR:

A petition from the Inhabitants of the Banks will be handed your Excellency which I beg to signify certain matters of fact. The coast is much infested at this time with the enemy which are constantly landing men and plundering, being short of provisions will hazard their lives to gain. Yesterday Goodrich in his Sloop came in Currituck Inlet and burnt two outward bound vessels with good cargoes on board; also killed several cattle before the Inhabitants could get to their relief, it being five or six miles distance from the main land. Those who live in the Banks, as well as on the Island of Roanoke, are near and has often kept off Boats when coming to plunder. If those people are taken away, their families certainly will suffer, both from the enemy and want of

Bread, as they all get it in small boats at this season of the year —a great scarcity likely to take place. Corn now is two pounds per barrel, and hard to get at any rate, being destroyed by a late storm of wind. (Please excuse my freedom.)

I have the honor to be your Excelly's ob. servt.

SAML. JARVIS.

Wrote at the request of the Inhabitants of the Banks.

PRESIDENT HENRY LAURENS TO GOV. CASWELL.

[From Executive Letter Book.]

PHILADELPHIA 16th Nov. 1778.

SIR:

By Messenger Hunter I had the honor of addressing your Excellency under the 14th instant. Under this cover will be found two copies of the undermentioned Acts of Congress, viz.: An Act of the 26th August, 1776, for establishing a provision for soldiers and seamen maimed and disabled in the service of the United States, to which is subjoined a supplementary Act of the 25th September, 1778, for the benefit of maimed and disabled volunteers in the service of the States, antecedent to the date of the first above mentioned Act.

An Act for the 26th September, for organizing the public Treasury, and for providing a house for the several offices of Treasury. 17th.

Your Excellency will likewise receive in the present packet, three copies of the Treaty of Alliance and of the Treaty of Commerce between his most Christian Majesty and the United States of America, for the information and use of North Carolina, and also an Act of Congress of this date for appointing Wednesday, 30th December next, a day of general thanksgiving in these States.

I have the honor to be with great respect and esteem, Sir, your Excellency's ob. & huml. servt.

HENRY LAURENS, Prest. Congress.

Lord Stirling writes to me the 15th Novr. that about 2500 men were embarked, and lay ready to sail from the Nook for the Southward, under Convoy of the Vigilant and three gallies. This

navigation is exactly calculated for Georgia directly, or by way of St. Augustine. The dispersion of Byron's fleet is to us a favorable circumstance. Count d'Estaing sailed in the critical moment for towing off some of the strangers. There are 6 or 7 not yet accounted for.

W. SAVAGE TO GOV. CASWELL.

[From Executive Letter Book.]

NewBern, 16th Novr. 1778.

Sir:

Capt. Ferres is not in Town. Mr. Craike purchased all the Blankets, except a few, which were before engaged, before I left Beaufort. They were shipped together with those purchased by Capt. Ferres from Capt. Margotte, to come round here, and I expect them now every day. I should be glad to know whether your Excellency would want any of the coarse cloths I have here. The Stockings Mr. Craike spoke about he did not positively engage. I retain them till I know your or his desire. There are many articles here that I think would suit the army. I should also be glad to know whether you would want the salt, the quantity I mean that you spoke to me about. I hope it will now be convenient Sir, to settle my former accounts. I shall send up for this purpose this week, and shall at the same time send the accounts of the Blankets.

I recd a letter from Mr. Richard Lee of Virginia, dated 7th November, WmsBurg, which says, "General Lincoln is here, on his way to Carolina, to command there. Genl Howe ordered to join Genl Washington. Accounts that Jamaica, Nevis, St. Kitts and Monserrat are taken." I am with greatest respect,

Your Excellency's mo. ob. huml. servt.

W. SAVAGE.

COL. JOHN SIMPSON TO GOV. R. CASWELL.

[From Executive Letter Book.]

Chatham, Novr. 17th 1778.

Sir:

Mr. Josiah Ascue to whose lot it fell to go out as Lieut. in our second draft, being unable to march by reason of a wound in his

ancles, has procured a lad to drive the Cart or play the Fife, and begs leave to resign his command. I beg leave to recommend to act as Lieut. this Campaign in his stead, Mr. George Falconer. I take him to be active, &c. Our second drafted men I hope will be with you in time. My compliments to Brig. Bryan and the Gentlemen of the Council. I wish to be with you, but the cir cumstances of my family will not permit. I am

Your huml. servt.

JOHN SIMPSON.

P. S. Our second draft will meet on Monday next at Martinsborough. Should be glad Mr. Falconer could be back by the time to take charge, &c.

J. S.

GOV. CASWELL TO GENL. JOHN ASHE.

[From Executive Letter Book.]

KINGSTON 18th November 1778.

SIR:

Your favor of the 16th I received. The Commissioners for stamping the money are returned from New Bern and have begun to print. The signers will begin their office this day. I have mentioned to them my wish to receive the money when signed for you. I have heard no objection, but believe it may be necessary for you to send me an order to them for that purpose, lest some one who may not now be present may think that necessary and you may depend on my doing every thing in my power to discharge such part of the duties of your Treasurer's office which can consistently be done by me.

A public wagon will be ordered on this day to receive your Baggage, and another to Wilmington for Stores, to be sent to Elizabeth Town. I do not think myself at liberty to raise an Artillery Company. Some Gentlemen dispute the authority for sending the Militia out of the State, and I find it very difficult to get horses even for the few carts and carriages necessary to be sent on from this District; I have therefore concluded not to send any of the field pieces.

There are none of the Militia from the District of Edenton and Halifax yet arrived. How long it may be before they get here I know not, whether they come or not between this and Monday next. I think then to send on such of the regulars and Militia which may then be here. This will prevent my setting out for Elizabeth Town so soon as I expected when we last conversed on that subject. I promise myself the pleasure of seeing you there between the 25th and the last of the month. I have the honor to enclose you your commission as Major General, which I have no doubt you will have the honor to execute to the satisfaction of your country. Believe this to be the sincere wish of Dr Sir, your most obedient servant,

R. CASWELL.

P. S. A Gentleman from whom I received a line yesterday says that General Lincoln was at Williamsburg the 7th Inst. on his way to Charles Town, to take upon him the command of the Troops in the Southern department. R. C.

GOV. CASWELL TO COL. THOS. HARVEY.

[From Executive Letter Book.]

KINGSTON 19th November 1778.

DEAR SIR:

By a letter yesterday evening from Genl. Skinner I find some disputes have arisen respecting the Quakers drafted in your County. I have laid his letter before the Council. That Board is of opinion with me that the Quakers are exempt by the Militia law which must govern in the present case; the aid Bill, referring to it, exempts from personal service on the present occasion on paying the fine of twenty-five pounds each. I therefore take the liberty of advising you to discharge such of them as are drafted on the payment of the fine. The Council should think Mr. Newby entitled to the same indulgence that the other Quakers are. Of the propriety of their Certificates the General and yourself will be able to judge, as being in the neighborhood of them and well acquainted with their customs. I am Sir, your mo. Ob. Servt.

R. CASWELL.

GOV. CASWELL TO GENL. WM SKINNER.

[From Executive Letter Book.]

KINGSTON 19th November 1778.

DEAR SIR:

Your favor of the 13th Current was handed me last evening by Mr. Newby. The Quakers by Militia Laws are exempt from personal services on an alarm, or expedition, upon payment of a fine of twenty-five pounds. 'Tis true the law under which this aid is to be marched takes no notice of such an exemption but directs the Drafts to be made agreeable to the Militia Act, I therefore think those people ought to be discharged on the payment of Twenty-five pounds each. If their certificates are considered as such as the law points out, the propriety of them you and Col. Harvey will be able to judge of by being in the neighborhood of them and acquainted with their customs in such cases. I am much concerned to find the Militia in general is so tardy in marching. None of them are arrived except from the Hillsboro district. These with the Continental Troops must march from hence on Monday next.

Let me entreat you Sir, to forward your Drafts to this place with all expedition.

I am Sir, your most obedient servant,

R. CASWELL.

P. S. I have laid your letter before the Council who concur with me in opinion and advised that Mr. Newby have the same indulgence that is granted to the other Quakers. I have written to Col. Harvey nearly similar on the subject of Quakers. Yours &c.

R. C.

ROB. SMITH TO GOV. CASWELL.

[From Executive Letter Book.]

EDENTON 19th Novr 1778.

DEAR SIR:

I have returned you a bond for a letter of Marque for Capt. Cunningham, which your Excellency was so polite as to trust me with. I must take a further trial of your faith, and request one other Blank for Capt. Cheshire whom we have put into a new Boat of ours, a Rigged Brig named The Lord Chatham. The Bond shall be executed and returned in less time than the last was. Should you say so it shall go by express.

I have the honor to be with every sentiment friendship can inspire Dr. Sir,

Your very ob. & Mo. Huml. Servt.

ROB. SMITH.

THOS. BENBURY & R. SMITH TO GOV. CASWELL.

[From Executive Letter Book.]

EDENTON 19th Novr 1778.

SIR:

Capt Berritz of the ship named The Heart of Jesus, arrived here some time in the month of July last. On his arrival he wrote a certain Mr. Holtner he says, indeed we know he did. He likewise wrote to Congress what he should do with the Cannon he had on board, say 28, 24 pounders & 17, 18 pounders, to which he never received an answer; but about a month ago, a Gentleman from Virginia produced an order for one-half, or 22 of the Cannon for that State, and at the same time exhibited an Extract of a Resolve of Congress by which it appears the contract for the Cannon had been applied for by the Delegates of the two States, Carolina and Virginia and was granted (no great boon). The State of Virginia are to have 22 of the Cannon and our State twenty-three. The Contract made by the Agents in France is to pay 150 lbs. Tobacco for every 100 lbs. of Iron Cannon for the credit of the State. We have thought it our duty to receive the 23

Cannon. The Capt. proceeds with the other two and twenty that is ordered to South Quay, where Tobacco is ready for him for the Virginia half, or share. We wish to know if we have acted right in what we have done (we have told your Excellency our motives), what should be done with the Cannon, and to know what way the Capt. can be paid the Tobacco. His time has been some time out, and he will lay after his return from South Quay at the demurage, we believe, of £50 per day. We hope we will be excused for the freedom we have taken, and are with every sentiment of respect, and regard and esteem,

Your Excellency's mo. ob. & very huml. Servts.

ROB. SMITH.
THOS. BENBURY.

ROB. SMITH TO GOV. CASWELL.

[From Executive Letter Book.]

EDENTON, 10th Novr., 1778.

SIR:

I had the honor of addressing your Excellency of this date jointly with Thomas Benbury Esq. I have now to acknowledge my most shameful neglect in not sending in the Bond for Cunningham's letter of Marque. I now enclose it herewith and hope when I tell you I have been sick and busy and the Lord knows what all, you'll excuse its not more early appearance. Our friend Hewes is just arrived from Philadelphia, brings no news, is as well as you have seen him. With every sentiment of respect, I am

Your Excelly's mo. ob. &c.

ROB. SMITH.

GOV. CASWELL TO GENL. JOHN BUTLER.

[From Executive Letter Book.]

KINGSTON 20th Nov. 1778.

SIR:

I had your favor of the 14th delivered me yesterday with your return, and thank you for your punctuality in complying with orders. At the same time I confess it gives me pain many Militia

officers are tardy in the discharge of their respective duties, and I fear the influence of some persons, who have ever been throwing out conjectures and observations to the disadvantage of the glorious cause of Freedom, have been exercised on the present occasion. I approve the orders you have given respecting the first drafts left behind, and those of the second to be sent forward, and beg leave to recommend your giving them every despatch in your power. I have written to Col. Hunt on the subject of furnishing provisions which I hope will prove satisfactory to him. Genl. Lincoln is now with me on his way to take the command of Charles Town. He will proceed in a day or two, and in three or four days I expect the Continental and Militia Troops will march from hence; if you have occasion for public money to enable you to march your men to join the Brigade at Salisbury, pray furnish yourself by some means or other. I am advised by Congress to furnish a warrant on the Treasury in your favor for one thousand pounds, which warrant I enclose you.

I have the honor to be with great esteem & respect, Sir, your most obedient servant,

R. CASWELL.

GOV. CASWELL TO THOMAS HART ESQ.

[From Executive Letter Book.]

KINGSTON, 20th Nov. 1778.

SIR:

I had your favor of the 15th handed me yesterday, and am very glad you have undertaken to furnish Provisions to the Troops. Mr. Thomas Blount, assistant paymaster to the Troops, went some time past to Salisbury with a large sum of money to pay off the Troops, and to furnish the Commissaries with such sums as might be necessary. You will therefore be pleased to apply to Genl. Rutherford who will order the paymaster to advance to you such sums as you may have an immediate occasion for. I am Sir, your most obedt. Servt.

R. CASWELL.

GOV. CASWELL TO PETER MALLETT ESQ.

[From Executive Letter Book.]

KINGSTON, 20th Nov. 1778.

SIR:

Your favor of the 15th Current came to hand yesterday. I furnished your Brother £10,000 which I flatter myself will answer your purpose in purchasing provisions for the present.

Your case respecting the draft has been laid before the Council who have advised a discharge to be granted you which is enclosed. Mr. Estes and Mr. Porterfield, they think, must submit to the order of the Military either by obtaining the opinion of the Board of officers for their discharge, marching or procuring substitutes.

I hope to see you at Elizabeth Town about the first of December. In the mean time I am with great esteem Sir, your most obedt. Servt.

R. CASWELL.

GOV. CASWELL TO COL. LYTLE.

[From Executive Letter Book.]

KINGSTON 20th Nov. 1778.

SIR:

Your favor of the 13th Current was handed me last evening. I much approve the measures you have taken, and wish you to march the Troops from Hillsborough and Salisbury districts with all the expedition you possibly can to Charles Town, at the same time think it will be prudent to keep with the Militia under Genl. Rutherford. I find by your return that you have very few firelocks. I have sent twenty days ago to Charles Town to be informed if we can be supplied with arms, but the messenger is not returned. Genl. Lincoln is now here on his way to Charles Town, and also Col. Sumner with many officers and but few Troops. The latter will march in two or three days, and the Militia as soon as possible. I am Sir, your most obedient Servant.

R. CASWELL.

COL. W. BRYAN TO GOV. CASWELL.

[From Executive Letter Book.]

JOHNSTON COUNTY, 23d Novr., 1778.

SIR:

I recd yours of the 17th Inst. wherein you directed me to send a Drum and colors. We have not so much as a stand of colors in this County. I have ordered a drum down with our last draft, which I expect will march this day. You also directed me to send forward those men who did not march in the first draft. It is not in my power to get them, some run clear off, and others lye off in the Rebellion and swears to kill any person that shall offer to enlist them. Some that was balloted last spring to go to the Northward, and some that was drafted in our first Detachment to march to the assistance of South Carolina, I understand has embodied themselves and lies on and about the line that divides Johnston and Nash Countys, and so plays in both Countys. We have had some apprehended and put in jail, but they broke jail and take them out. I should be glad to have some instructions what I must do with such lawless people. I have some reason to think myself in danger of my life, every day as one of the Deserters has swore damnation to himself if he does not kill me on sight, to which I called on a person of credit to be qualified before a justice of the peace to what he heard him say and has got a Copy of his Deposition. Now if some method can't be taken with such fellows, I can't think myself safe in transacting the public business of this County, and should be glad of some instructions from your Excellency in what manner I must proceed. I am Sir,

Your huml Servt. to command.

W. BRYAN.

GOV. P. HENRY OF VA TO GOV. CASWELL.

[From Executive Letter Book.]

WILLIAMSBURG, Novr. 23d, 1778.

SIR:

Congress have desired that this State will furnish Galleys to attack East Florida, without loss of time. Those which we have here are by no means fit to go, except the Dragon and Tartar. I am therefore prompted by the great desire which the Council and myself feel to execute the designs of Congress, to wish that the Caswell might be sent with them on this expedition, for I suppose from the particular construction of that vessel, and the nature of the service, that she would be of great use on this occasion. From your well known zeal for the public good, I entertain no doubt that every thing tending to promote it will meet with your ready concurrence. If you approve of sending the Caswell on this expedition, and think her place can be supplied by one of our Gallies, I will immediately order one of our best to her station.

I shall thank you for an answer by the Bearer, whom I charge with Despatches to you, from the President of Congress. I am Sir,

Your mo. huml. Servt.
P. HENRY.

FRANCIS CLAYTON & OTHERS TO GOV. CASWELL.

[From Executive Letter Book.]

WILMINGTON Novr. 23d 1778.

SIR:

We do ourselves the honor to enclose to your Excellency two letters from George Carey, of the 13th & 17th Instant, by which you'l find he is an officer of his Britannic Majesty's Ship Ardent, and has arrived here in a Flag of Truce, pursuant to orders from Admiral Gambier, to distribute Copies of a Manifesto, signed by the British Commissioners, which we were in debate on his rejectment. The enclosed So. Carolina paper, came to our hand which

occasioned the detention of the sloop & securing her people, until your Excellency's commands on the subject, may determine their further dispositions. The packet containing the Manifestos will be delivered by Capt. Dotruety.

We have to lament to your Excellency the want of concurrence of the Military in this affair, which will be evinced by the enclosed from Col. Ward, and crave your advice in any similar case. We have no Prison to secure the people of Sloop nor will the Inhabitants consent, but with the utmost difficulty to guard them. We have the honor to be your Excellency's most obedient servants,

FRANCIS CLAYTON.
WM. WILLIAMSON.
JNO. WALKER.

Your Excellency will please look at the paragraph in the paper marked X.

COL. ANTHY WARD TO GOV. CASWELL & OTHERS.

From Executive Letter Book.

Wilmington Nov. 23d 1778.

Gentlemen:

I rec'd yours requesting me or Colonel of this County have a Guard of twelve men to take in charge the crew of the Flag of the Truce George. Am to inform you that all matters issuing from the Justices of the Peace ought to be directed, to the Sheriff or his Deputy, or any Constable within this County. I am Gentlemen,

Your most ob. servt.
ANTHY WARD.

GOV. CASWELL TO GENL. GRIFFITH RUTHERFORD.

[From Executive Letter Book.]

Kingston, 25th 1778.

Sir:

This will be handed you by Col. Sumner who is the commanding officer of the Continental Troops in this State. Of course he will take charge of such of them as are with your Brigade, and I

take the liberty of recommending Col. Sumner to your particula attention as a Gentleman who will be able to give you great assistance in the Military way, and I flatter myself you will find him inclined thereto, and an agreeable companion.

The Troops have not yet marched from hence; I expect they will in a few days; their delay has been entirely owing to the tardiness of the Edenton and Halifax Militia.

I have nothing particular to communicate at present, when any thing material occurs I shall advise you. I am Sir, with great respect Sir,

Your most obedient Servant,

R. CASWELL.

LT. COL. JONAS JOHNSTON TO GOV. CASWELL.

[From Executive Letter Book.]

Edgecombe County, Nov. 24th 1778.

May it Please Your Excellency:

I have herewith sent you the Commissions of Capt. Davis and Ensign Gay, Resigned, the former through infirmity, the latter for cowardice, and as no Ensign offers to supply the place of Gay our detachment is without any Captain. Lee who now heads the Company is a volunteer, who accepted of the office in the room of Davis resigned, and as I have no blank commissions he is without. One Absolum Barnes, our Lieutenant, has a commission. I am sorry to inform your Excellency of so many Resignations at present, but it is out of my power to help it. I have furnished Capt. Lee with 934 lbs. of Beef, and 21 p. Barrels of Meal, and 8 pots, 8 axes, and am happy to inform your Excellency that the men are mostly in good health, and now on Duty, are in high spirits and resolved to encounter every difficulty. I can only add, I am sorry that more of our old Captains would not go with them, as I think so large a Detachment deserve a good Captain, and so no more at present but Sir I still remain,

Your Excellency's mo. huml. Servt.

JONAS JOHNSTON.

N. B. The other detachment is now drafting, and will march as soon as possible.

J. J.

HON. JOSEPH HEWES TO GOV. CASWELL.

[From Executive Letter Book.]

EDENTON, 24th Nov. 1778.

DEAR SIR:

I returned home a few days ago from Philadelphia, after a disagreeable journey, and find myself rather better in health than I have been for some time. Before I left the City a large Fleet supposed about 150 sail had gone from New York, under Convoy of several Men of War. From the best information we could then get, they were bound to Great Britain, having on Board Invalids, officers of reduced Regiments and Tories. I have a letter dated 3d Novr. since I left that place which informs me that all the British Troops were then embarked but not sailed; that the Fleet was lying at the Hook in all appearance ready; that the City of New York was garrisoned by about seven thousand men, chiefly Hessians, New Levies and Tories. I left Genl. Lee at Philadelphia soliciting Congress to reverse the sentence of the Court Martial respecting his behavior at the Battle of Monmouth when he first came to Town. I was told a large majority of Congress were for confirming it, but just as I was setting out, I was told the numbers were nearly equal, and I have no doubt by this time that General and his fast friend Rich'd H. Lee have prevailed on a majority to reverse it. The Politicians in Philadelphia were much divided in respect to the destination of the British Troops. I found a majority of them were of opinion they would part go to the West India Islands, and the remainder to Great Britain. It was pretty generally believed that we're not going to So. Carolina, as was at first expected. If it should prove so I hope I shall have the pleasure of seeing your Excellency at Halifax in January. I am with much respect and esteem Sir,

Your Excellency's mo. ob. & very huml. Servt.

JOSEPH HEWES.

HEWES, SMITH & ALLEN TO GOV. CASWELL.

[From Executive Letter Book.]

EDENTON, 24th Nov., 1778.

SIR:

Some time ago a Continental vessel arrived here, from which we received Twelve Chests of Arms each containing Twenty five Muskets and Bayonets. We have also a quantity of Cartouch Boxes in our hands belonging to the United States. Our orders in respect to all Military Stores of every kind are, to hold them subject to the orders of the Board of War at Philadelphia. We have not received any orders from that Board respecting either those abovementioned or respecting a large quantity of powder now in our hands. We have been informed your Excellency intends to command the Troops from this State, that are ordered to South Carolina, and we earnestly wish to render all the service in our power to the public in general and to your Excellency in particular. We have therefore ventured to deliver to Col. Lamb about eighty Muskets and Bayonets, also a quantity of Cartouch Boxes, and a few Blankets, to equip such men of his Regiment as he had here. Col. Lamb informs us he wishes to receive all the remainder of the Muskets, Cartouch Boxes and Blankets, that are in our hands for the equipment of the other Troops, but when we consider that we have been already much censured by Congress for taking upon us at sometimes to act in like cases without orders, that we think ourselves aggrieved by Congress, that we have earnestly solicited to resign our office of Agents, and that what we have already delivered to Col. Lamb for his Regiment has been done without orders, we are at a loss to know how to act on this occasion, as we have not heard of any importation of Arms on account of this State. We have no doubt but that those in our hands are now wanted, but of this your Excellency is the best judge; therefore if your Excellency will be pleased to direct us to deliver them, or any other stores in our hands, to Col. Long or any other person we shall do it with great cheerfulness and rest satisfied that we do right. As but few of the Militia have yet appeared here, and Col. Lamb sends this

letter by express, your answer will arrive in time to prevent any delay in the march of such Troops as may assemble here. We are, with great respect and esteem,

Your Excellency's mo. ob. & very huml. Servts.,

HEWES, SMITH & ALLEN.

LT COL. GIDEON LAMB OF 6TH REGT. TO GOV. CASWELL.

[From Executive Letter Book.]

EDENTON 25th Nov. 1778.

SIR:

Agreeable to your orders of the 16th of October, I have used every means in my power to call in all Troops in this District, but as I mentioned to you in my last, find it very difficult, the men being all on Furlough and scattered about in this broken District in such a manner, that it will be almost impossible to find them all, and when found pleads strongly their furloughs. However, I have with much difficulty sent on about a hundred by Capt. Goodman, chiefly regulars of my own enlisting, during the War, who will march from Mackey's ferry this afternoon with Col. Perkin's party of Militia, which I believe may be about one hundred and fifty. I think it most advisable for me to wait here a few days to try and collect the other furloughed Troops from this District, and for that purpose have sent an officer and file of men to the different Counties, and hope to have their returns in about ten days, when I expect to be able to march and bring them on pretty well equipt as well as those I have sent on by Capt. Goodman, having applied to Messrs. Hewes & Smith for that purpose, who I lately understood have a considerable number of good Continental Arms, Cartridge boxes, belt bayonets, blankets, &c., & on application they were kind enough to supply me with what I wanted for the Troops I have sent on. What few arms I rec'd from the Militia were quite unfit for service and have left them here with the Commissary, where I intend lodging the others that may come in hereafter, and I will endeavour agreeable to your request to bring on what Troops I can collect equipt in the best manner I possibly can. The arms, &c., now in the hands of Hewes & Smith are originally very good, but at this time much suffering with rust, and if not soon cleaned will be an entire loss—and as I

have no reason to expect the arms from other districts much better than those of this, thought proper by express to acquaint your Excellency of those. If you think proper to order it there might be as many brought on to Kingston as may well equip all the new levies, &c. I have advised with Hewes and Smith on the subject, who will likewise write you by this express.

Enclosed you have the returns of my Troops when they embarked from this place, together with the returns of the Volunteers and Balloted in this District. We are in want of Tents which might be purchased here, if money could be had, for which I am at a great loss. I have the honor to be

Your Excellency's most ob. huml. Servt.

GIDEON LAMB.

P. S. Col. Patten passed this Town this morning on his way home. Eighteen days from Head Quarters, has nothing new, only that a report prevailed that Count D'Estaing has lately been reinforced with a number of heavy and warlike ships and put to sea in pursuit of the British Fleet. Arrived this day Capt. Colvin in twenty five days from Curacoa, in a schooner from Charles Town, but brings no news.

G. L.

GOV. CASWELL TO GENL. WM SKINNER.

[From Executive Letter Book.]

KINGSTON 26th Nov. 1778.

SIR:

I have several days past been looking for you and the Detachment from your Brigade. You are much wanted on the business of the Treasury and your Troops to go on. Pray let me hear by the return of Capt. Tarrant or some person to be sent by you or Col. Lamb, immediately on the receipt of this where your men are, their Numbers, arms and Camp necessaries, and also the time they may be expected to arrive at this place. The Troops must move on from hence without them unless they arrive in a very few days.

I am Sir, your mo. ob. Servt.

R. CASWELL.

JOHN LONDON TO GOV. CASWELL.

[From Executive Letter Book.]

WILMINGTON 27th Nov. 1778.

SIR:

Upon receiving your Excellency's certificate enlarging the extent of my parole, which did not come to my hands till the 24th of last August, I considered it a duty I owed to your indulgence as well as to remove any doubts of the sincerity of my wishes to become a citizen of the State, to apply to the Magistrates of this County to administer the oath of allegiance to me, before I made any use of my parole. The enclosed copy of a certificate will show you the opinions of the Justices respecting my application. I have already been so sensible of your Excellency's disposition to serve me, as to leave no doubt but I may expect a continuance of it at the ensuing Session of Assembly, at which time I hope, thro' your Excellency's representation, to obtain the prayer of my memorial, and to be received and admitted to the privileges of a citizen agreeable to the Laws of this State. I flatter myself my personal attendance on the Assembly will be dispensed with and that if I am admitted a citizen, Your Excellency will be pleased to give the necessary directions for administering the oath of allegiance to me. Should I obtain this favor, it would save me much expense. A severe sickness and the shortness of the Session of Assembly at Hillsboro prevented my making any application at that time to your Excellency. If you think my personal attendance requisite, shall be glad to receive your permission accordingly.

I beg sir, that you will accept my best acknowledgments for the indulgences I have already received. I am with respect Sir, your Excellency's obliged humble servant.

J. L.

SIR:

The above is a copy of a letter I wrote your Excellency by Mr. Faithful Graham to be delivered at Elizabeth Town, but as I have not yet heard anything in answer, I am fearful it may not reach you in time to have your directions before the meeting of the Assembly; I have therefore taken the liberty to send this copy

by post, to New Bern, and request your Excellency will give me leave to attend the next Assembly at Halifax, if you should think my personal attendance necessary. I am respectfully. Your Excellency's mo. obliged humble servant.

16th Dec., 1778.

JOHN LONDON.

JONA DUNBIBIN AND THOS. BLOODWORTH TO GOV. CASWELL.

[From Executive Letter Book.]

These are to certify that John London applied to us the subscribers two Justices of the Peace, for the county of New Hanover in the State of North Carolina, and requested to be admitted to take the oath of allegiance to this State as by Law prescribed, but we having a doubt as to the legality of the same, as the said John London is here on his parole under the confiscation act, refused to administer the said oath, and at the same time do certify the said John London's willingness to take the same.

Given under our hands 1st September 1778.

JONA DUNBIBIN.
THOS. BLOODWORTH.

A true copy, John London.

HON. C. HARNETT TO GOV. CASWELL.

[From Executive Letter Book.]

PHILADELPHIA Nov. 28th 1778.

DEAR SIR:

The President before any of the members could be supplied with the printed Treaties with France sent them to all the Governors of the several States ; I take the liberty (fearing some accident may have prevented your receiving one) to enclose one to your Excellency. These Treaties ought to have been thrown out to the public immediately, but Congress out of their great wisdom thought otherwise. This business was done after the return of the North Carolina Delegates. Mr. Burke and

myself stayed and sat in Congress as long as we were authorized by the State to give a vote. Your Excellency must also have been informed by Mr. Blount, when the requisition was made for 500,000 Dollars. No Delegate of North Carolina was or could be present with propriety.

We have however patched up this business; 400,000 dols. have been sent on to accomplish the first business, and 150,000 to Mr. Blount exclusive of the other sum towards forwarding the Southern expedition. The President has no doubt informed you of the views of Congress, should the enemy not think proper to make an attack on Charles Town. I am not at liberty at present to communicate it, as the injunction of secrecy is not yet taken off. I should imagine your Excellency would have influence sufficient to induce the late Levies to march forward this winter, and that so early as possible, with some Volunteers from the Militia. I am one of those old Politicians who had much rather see my neighbour's house on fire than my own, but at the same time would lend every assistance in my power to quench the flame. St Augustine, during the continuance of this War (from her situation) will constantly have it in her power, not only to destroy our *poor frontier State of Georgia* by land but to embarrass and almost ruin the trade of the four Southern States by their Privateers. Genl. Lincoln whom I had not the pleasure to see, will communicate to you the views of Congress, and I hope may inform *them* of what may be expected from our State, after consulting with you.

Genl. Howe is ordered to Head Quarters. The little ridiculous matter he has been concerned in in South Carolina, with regard to a female, has induced the Delegates of Georgia and South Carolina to desire his recall. Congress complied with their request, but do not intend to enter into the private amours of their Generals. I hope our friend (should the War continue) will have an opportunity of displaying his abilities (which Congress acknowledge) in the field of Mars; as well as of Venus.

I have mentioned several times to your Excellency my desire of remaining at home. I am *too* old to be sent here; it behooves the State to send men of much greater abilities than myself. I am now not many years from 60. The other States have fallen upon a method of keeping some of their Delegates here who have

served from the beginning, viz: Massachusetts, New York, Virginia &c. But should the States think proper to change their Delegates they ought at least to send forward their first men (I mean as to their abilities) in the State. New York has invariably pursued this plan, and has profited by it.

I would not be thought to derogate from the Gentlemen who are with me. I have experienced on every occasion their good sense, Honesty and integrity of heart. But by changing your members often you must of course know, as I am convinced every man of sense must, that it will take a *young man* of Genius, ability and *application*, three months at least to make himself well acquainted with the business of Congress and after he has accomplished it, in a few months, another is appointed, who has the same process to go through before he can be made useful to his State, let his abilities be ever so great and uncommon. I have taken the liberty to give your Excellency my opinion on this *great* subject, with an intention never more to return in the character my Country has been pleased to honor me with, unless I am forced in to it. This letter has been written with a violent pain in my stomach, which I suppose a symptom of the Gout, (my old companion). I have neither time nor inclination to correct either the Diction or Grammar, it is intended for yourself. If I have in my incoherent manner, thrown out any hint that may strike you and be useful to my Country, I shall be happy indeed. I send the last papers. I expect Mr. Burke and Mr. Hill every hour to relieve me. I have the honor to be with great respect,

Your Excellency's Mo. ob. and very humble Servt.

CORNS. HARNETT.

T. BURGWIN TO GOV. CASWELL.

[From Executive Letter Book.]

HERMITAGE 29th Novr. 1778.

SIR:

As I am told there are many stories propagated and spread to prejudice me in the opinion of the good people in this State, I would wish to convince your Excellency that they are all as void

of truth, as the Paragraph in Mr. Davis' paper of the 30th October, and I trust Sir, from your love of justice and real goodness of heart, manifested by all your actions both public and private, that your Excellency will not credit such reports, but do the justice to believe there is not a man in America who has a more sincere attachment to No. Carolina than myself. Soon after the arrival of your Excellency's Parole I applied to the magistrates of Wilmington to take the oath & be admitted a citizen, but it seems the Law has reserved that power in the General Assembly. The magistrates however granted me a certificate of my application, which I have desired the Bearer Mr. Graham to present to your Excellency.

It would in my opinion have been folly in the extreme to have returned to this Country, without first determining to become a Citizen, and I shall ever think myself happy in having had the good fortune of returning to this State, under the clemency of your Excellency's administration, an administration universally commended for its wisdom, justice and moderation. I am with the greatest esteem Sir,

Your Excellency's obl'gd & obedt. Servt,

T. BURGWIN.

GOV. CASWELL TO MESSRS. HEWES, SMITH & ALLEN, CONT. AGENTS, EDENTON.

[From Executive Letter Book.]

KINGSTON, 29th Nov. 1778.

GENTLEMEN:

Your favor of the 24th I have just received. The Troops going on the expedition to South Carolina are expressly by order of Congress to be in Continental pay as the greater part of them are badly armed, or have no arms at all. It is highly necessary that they should be supplied, which cannot happen in this State without your assistance from the Continental Stores, and as the arms in your possession are not directed to be removed to any particular State, I think it necessary (from the good of the service) to request you will be pleased to deliver to Col. Gideon Lamb all

the muskets or Bayonets and Cartouche Boxes belonging to the United States, which you have in your possession. I thank you for those already delivered. Be pleased to take his receipt for the whole and transmit me an account of them. These steps under our present circumstances I flatter myself will be approved by the Board of War, as they have no other tendency than the advancement of the common interests of the States in union.

Give me leave to return you my sincere thanks for your kind offers of serving the public in general and myself in particular, and to assure you that I shall ever retain a grateful sense of them.

I am at this time much hurried in endeavouring to get the Troops on, and have the duties of more than half a dozen men on my hands. You will therefore excuse my not adding further than that I am with great respect and esteem, Gentlemen,

Your mo. ob. Servt.

R. CASWELL.

GOV. CASWELL TO HON. JOS. HEWES DELEGATE TO CONGRESS.

[From Executive Letter Book.]

Kingston, 29th Nov. 1778.

Dr. Sir:

Your favor of the 24th came to hand this day. I am sincerely glad you are returned to Carolina, and that your health is better than usual. Give me leave to recommend a little more relaxation from business than heretofore to you, it may conduce to the continuance of your health. Your former close application, has had a contrary tendency, and you are now arrived at a time of life when you may reasonably conclude your constitution will not support either the labours of the mind or Body as formerly. This freedom I know you will excuse. I thank you for the Intelligence you have been pleased to communicate. I have had no late accounts from the Northward. Genl. Lincoln was with me, two or three days on his way to the Southward. No news by him. He left this a week ago. As the probability of Troops going to Charles Town is only reduced to a possibility, I have declined going with the Troops. Genl. Ashe is appointed to the Command, and I make no doubt will render equal services, if

occasion offers. This sir, will give me an opportunity I flatter myself, of seeing you at Halifax in January next. In the mean time I am with very great regard & esteem Dr. Sir,

Your most obedt. Servt.

R. CASWELL.

GOV. CASWELL TO COL. GIDEON LAMB.

[From Executive Letter Book.]

KINGSTON 29th Nov. 1778.

SIR:

Your favor of the 25th Current, I have just received with your returns. I am really sorry your people are so tardy in coming on; when your men arrive here, they will be ordered to proceed on with Col. Perkins' Militia. Let me entreat you to bring up the remainder of your men, as fast as you possibly can. The steps you have taken to collect them I much approve, as also your conduct respecting the arms. I will write to Messrs. Hewes and Smith to deliver you the remainder of the Continental arms which you will be pleased to order on with the second division of your Troops. If you can get them cleaned and properly prepared for use pray do.

I thank you for the intelligence you were pleased to communicate to me. I have no late accounts from the Northward. Genl. Lincoln left this a week ago for Charles Town where he is to command. I am Sir, with esteem and respect,

Your most obedient servant.

R. CASWELL.

GOV. CASWELL TO HIS EXCELLENCY GOV. HENRY OF VA.

[From Executive Letter Book.]

KINGSTON 1st December, 1778.

SIR:

I had the honor to receive your favor of the 23d ulto. this day, when I immediately laid the same before the Council, who from a desire of this State's rendering every service in her power to the

United States, have advised me to send the Caswell with such of our Gallies as you may think proper to the attack of Florida, on your sending one of the Gallies belonging to your State to her station at Ocracock. This appears to me to be absolutely necessary for the protection of the Trade of both States. I shall therefore order the ship to be in readiness to join such of yours as you shall order on the service.

The time when you think your Gallies will arrive at Ocracock, you will be pleased to advise me, that the Caswell may be in readiness to proceed without loss of time. I have the honor to be with very great respect & esteem Sir,

Your mo. ob. Servt.

R. CASWELL.

THOS. AMIS TO GOV. CASWELL.

[From Executive Letter Book.]

Elizabeth Town Decr 2d 1778.

Worthy Sir:

I have taken this opportunity by a man Mr. Molat sends express to you. As the time is now expired you signified to me you should be here, I should be glad of further advices. We have about 300 men here. I have about 100 head of Beef cattle engaged, the most of which is now gathered & must be killed shortly or will decline. I have some Pork bought, for which I have given 15 dollars pr hundred. I have a considerable quantity engaged for which I have promised the market price, some of which I must receive this week which I expect to pay 20 dollars for or upwards, as Mr. Molat has given £9, and sundry merchants in Wilmington have given £10. The most of the Pork I expect is on the waters of the Peedee near about where I live, where I think with your advice will be the best place near this to put it up, as there is a water carriage to George Town, and salt will come fifty per cent cheaper than on this River. I am with due respect,

Your most humble servant,

THOS. AMIS.

P. S. Grain is very scarce on this River, but I think I can supply the Troops, if they do not stay long here. I was about to purchase some flour in Cross Creek as it is a scarce article in this County, but Mr. Molat came here the other day, and informs me he is a purchaser for the public and has a quantity in Cross Creek which he thinks will answer the purpose better, in consequence of which I have sent up for about eighty Barrels.

Since I wrote, Mr. Molat has altered his mind, and declined sending, but Major Molton is kind enough to forward this.

GOV. CASWELL TO ROBERT SMITH ESQ.

[From Executive Letter Book.]

KINGSTON, 3d December 1778.

SIR:

Please to deliver Capt. Willis Wilson eight 18 pounders for the use of Fort Hancock, and if there are among the Guns purchased for the States, and received by you and Mr. Benberry any which will suit his ship, please also to deliver them.

I have not yet been favored with the account of the weight of the Guns, or any of your favors, since the return of your express, respecting the cannon.

I am Sir, your most obedient servant,

R. CASWELL.

GOV. CASWELL TO CAPT. WILLIS WILSON.

[From Executive Letter Book.]

KINGSTON, 3d December 1778.

SIR:

Yesterday was paid to the order of Capt. John Easton seven months pay for the crew of the Ship Caswell, and it becomes my duty to require you to proceed immediately with the said Ship to her station at Ocracock, and on her arrival there you are requested to send an express directly to Capt. Easton acquainting him thereof; at the same time you are to make a return of your officers

and crew, and also your Guns, Arms, &c., with the Ships stores. If this reaches you before you leave Edenton, you are required to apply to Mr. Robert Smith for eight 18 pounders lately imported there from France, and received by Messrs. Smith and Benberry for the use of this State. These you are to carry to Ocracock, there to be delivered to the order of the Captain of Fort Hancock. If there are any other Guns in Mr. Smith's possession that will be useful in your Ship, apply to him and he will deliver them. What I have now requested I flatter myself you will not hesitate to comply with. I am Sir, your mo. ob. Servt.

R. CASWELL.

P. S. You are hereby required to search every vessel outward bound, and not suffer any provisions to be carried out of the Country, contrary to my proclamation. I am informed there are some Bermudian Vessels now in different ports in this State, whom 'tis probable will endeavour to carry out provisions; if they do, you will do well to seize and send them up to the Court of Admiralty. Yours &c. R. C.

GOV. CASWELL TO CAPT. JOHN EASTON.

[From Executive Letter Book.]

KINGSTON, 3d December 1778.

SIR:

Yesterday Mr. Gibble received in pursuance of your order, seven Months pay for the crew of the Ship Caswell. I have written to Capt. Wilson to repair immediately to his station at Ocracock, and send you an express immediately on his arrival there, on receipt of which you will be pleased to repair on board the ship, and pay off her crew. At the same time be pleased to remind Capt. Wilson that it is necessary he should make a return agreeable to my request by express. All your Drafts except Col. Chadwick's are paid to Mr. Gibble, to whom I refer you for further particulars. I am Sir,

Your mo. ob. Servt.

R. CASWELL.

GOV. CASWELL TO THOS. AMIS ESQ.

[From Executive Letter Book.]

KINGSTON, 5th December 1778.

SIR:

I had your favor of the 2d Inst. handed me last night. The Troops from the Northward & Eastward Districts have come in so slowly that I have not been able to get out to Elizabeth Town; indeed I do not know that I shall get there, for if I do it will be by Saturday next or within a day or two of that. You must apply to General Ashe for instructions in respect to provisions. Mr. Mallett will assist you in any thing he can, or undertake the whole whilst the Troops are in South Carolina. Mr. Blount will come on with money to pay the Troops from whom you will receive what you may have occasion for. He will set out in a day or two. The Continental Troops have passed the River. All the Militia that have marched this far, have and will cross Neuse to-day, that you may look for their arrival at Elizabeth Friday or Saturday. Pray direct Boats to be provided for them at So. River and the No. West. I will be with you about that time, if I possibly can. I am much hurried &

Your Ob. Servt.

R. CASWELL.

GOV. CASWELL TO COL. ANTHONY WARD.

[From Executive Letter Book.]

KINGSTON, December 5th 1778.

SIR:

Enclosed you have a Copy of a Resolve of Council in pursuance of which I am to request you direct an officer and six effective men, well armed from your Regiment to receive Mr. Caney and the crew of the sloop George and them safely convey to Halifax, there to be detained in the public Gaol of that District until further orders from the Legislature or Executive Powers of the State, and in order to enable you to defray the expenses of the Guard on the road, I

enclose you a warrant on the Treasury for £200, that warrant endorsed by you and sent here in Mr Treasurer Ashe's absence shall be discharged by me. Direct the officer you appoint on this service to grant a receipt to the Magistrates for the men he receives, and to obtain one from the Gaoler at Halifax to whom he is to deliver the Mittimus enclosed.

Give me leave to recommend to you Sir, on all future similar occasions to order your Militia to the assistance and subjection of the civil power. Without such a conduct is observed, it will be impossible for the civil Magistrates, to carry their just and legal orders for the good of the community into execution.

I am Sir, your mo. ob. Servt.

R. CASWELL.

GOV. CASWELL TO FRANCIS CLAYTON, WILLIAM WILKINSON, & JOHN WALKER ESQRS.

[From Executive Letter Book.]

KINGSTON 5th December 1778.

GENTLEMEN;

Your letter of the 23d Ulto. with the Packets, brought in by Mr. Caney, reached me at this place yesterday, when the same were immediately laid before the Council. That Board came to the Resolution of which the enclosed is a Copy. Such part of it as falls within your department you will be pleased to execute. I have written to Col. Ward to furnish the Guard, and enclosed a Warrant on the Treasury to defray the expenses on the road. You will also be pleased to direct that Mr. Caney and the Crew belonging to the George be delivered to the officer of the Guard, whose receipt for them it will be necessary to obtain. I am, Gentlemen,

Your most obedient servant,

R. CASWELL.

P. S I have given Col. Ward a hint, which I hope will induce him in future to order, in similar cases, the Militia to the assistance and subjection of civil Magistrates.

R. C.

GOV. CASWELL TO GENL. JOHN ASHE.

[From Executive Letter Book.]

KINGSTON, 5th December, 1778.

DEAR SIR:

I had flattered myself it would have been in my power to have got to Elizabeth Town before this, but the Militia from the Districts of Edenton and Halifax had been so tardy, that it was entirely out of my power; if I can get that length it would be about Saturday next. If I do not arrive within a day or two after that time, do not look for me. The Continental Troops, upwards of 200 Rank and File, have crossed Neuse. The Militia are crossing and will be all (that have marched thus far) over this day, less than 1000. They will proceed directly on, and may arrive at Elizabeth Town Friday or Saturday next, if not delayed in crossing South River and the No'West.

Mr. Blount the paymaster will come forward in two or three days; if I do not come, I will do myself the honor of writing fully by him. I have received and paid away a considerable sum of the new money. I will see you if possible. I am, Dr. Sir,

Your mo. ob. Servt.,

R. CASWELL.

GOV. CASWELL TO PETER MALLETT ESQ.

[From Executive Letter Book.]

KINGSTON, 5th December, 1778.

SIR:

Your favor of the first Inst. I received last evening by Mr. McAlister, to whom I have paid Ten thousand pounds in discharge of a warrant issued in your favor for that sum to enable you to purchase provision for the army. By him I send a Bond, penalty £50,000, conditioned for your faithful applying and accounting for such public money as you may have or receive in virtue of your appointment. This Bond you will be pleased to get executed and send me on so soon as convenient. It will save the trouble of Bonds on every payment of money.

I expected to have been able to have seen Elizabeth Town before this, but the Troops from the Northward and Eastward come in so slowly that I do not know if I shall get there at all. If I can go that far, I shall be there by Saturday next or within a day or two of that; if I do not arrive in that time, don't look for me, and in that case apply to Genl. Ashe in respect to any supplies for the Army. Your purchases of provisions either for those going on or what must be laid up in the States, as to price, no doubt of your good economy. Let me hear from you as you proceed. I am, Sir,

Your mo. ob. Servt.
R. CASWELL.

COL. ANTHY LYTLE TO GOV. CASWELL.

[From Executive Letter Book.]

Camp Turkey Branch, 5th Dec'r. 1778.

Sir:

I have made to Brigadier Genl. Rutherford a return of the Continental officers together with the new Levies from the District of Hillsboro and Salisbury agreeable to orders from himself, from whom your Excellency will receive a return generally. I have taken the liberty to return particularly by Counties placing the Continental officers in the Counties wherein they usually reside. Major Armstrong to whom you directed as Continental Commanding officer in the District of Salisbury was absent from the District when the Express arrived. Captain Nelson who then was commanding officer did not receive the orders until the 8th day of November when he gave the necessary orders. The District being very large, also very few Continental officers, are the reasons that I am obliged to assign to your Excellency for so small a number of Levies from some Counties, and none from others.

Col. Thackston before this no doubt has given reasons, that so few are from the Counties of Wake and Chatham, in Hillsboro District, he being commanding officer in that Districtwhen last I

wrote your Excellency, I have not received other orders than the proclamation other than what I received from Rutherford.

I am your Excellency's Mo. Obedt. Servt.

ANTHY LYTLE.

GEN. GRIFFITH RUTHERFORD TO GOV. CASWELL.

[From Executive Letter Book.]

Camp Turkey Quarter, December 5th 1778.

Sir:

Agreeable to your Excellency's request, I sent to you by the earliest opportunity, a just return of all the Troops which compose the Brigade now under my command. They are new Levies almost to a man; when they were furloughed at Moore's Creek, their arms were transferred to Halifax and put under the care of Col. Long. I would have informed your Excellency of this matter before now, but waited 'till I could get a general return of the Brigade.

A large quantity of provision is purchased at £4 per hundred weight for flour and £5 for Beef. Pork cannot be had as yet. A small quantity may be had at £8. A sufficient quantity of Beef and Flour may be had for the support of the troops during the Campaign, but at higher rates.

The Contractor and Quarter Master each have received of Mr. Thomas Blount very considerable sums of money, but that will soon be expended. As soon as possible we would desire to see the Pay Master as well on the account of the Troops as Contractor and Quarter Master. I have been much retarded in my march by reason of the tardiness of the Troops in collecting. By comparing this my General return with number which should have been raised in the District, you will readily see the number of Delinquents.

I have Capt. Falls & Company, who are light Horse patroling the different Counties in the District in order to take in custody those who have not joined their Regiment according to orders. I thought to have made your Excellency a particular return of the men, who have paraded from each County, but I find it impracticable.

We are now in South Carolina within ten days' march of Camden, and design without the orders be countermanded to march directly to Charles Town.

The one third of the Militia in the State of South Carolina are drafted, & are to begin their march 7th Inst. I am Sir, with particular respect

Your most ob. huml. Servt.
GRIFFITH RUTHERFORD.

JOHN GREEN TO GOV. CASWELL.

[From Executive Letter Book.]

New Bern December 5th 1778.

Sir:

Enclosed is a letter I first received from Mr. McAustan, which please to lay before the Council, and any order that they may make thereon, please to enclose to me, which I will forward to Ocracock Bar, to some of the Pilots, in order that he may see their determination. The vessel that he is in belongs entirely to himself. In doing the above your Excellency will greatly oblige Sir,

Your most obedient & very humble Servt,
JOHN GREEN.

N. B. Your Excellency was mentioning that you should want some person to purchase provisions for this State. If you choose to appoint me I will act, as I have nothing to do with Jos. Green's purchases, he not having it in his power to appoint assistants. I did not think of this when you mentioned it.

J. G.

GOV. CASWELL TO MR. JOHN COURT.

[From Executive Letter Book.]

KINGSTON 6th December 1778.

MR. JOHN COURT:

You as purchasing Commissary are hereby required to furnish the Colonial Troops, under the command of Col. Armstrong, and also the NewBern District Militia with provisions. The method you will observe is to deliver the same, that for the Continental Troops to the assistant Quarter Master General, and that for the Militia Regiment to the Brigade Quarter Master, whose receipts it will be necessary for you to take, for such articles as you deliver, a return of which will be required of you by the commander in chief or Brigadier. You will also observe to take receipts for all payments you make for provisions to be produced as vouchers in settlement of your accounts, with the public. You are to observe such orders from time to time, as you shall receive from the Commanding officer. Given at Kingston the 6th Dec. 1778.

Signed R. CASWELL.

GOV. CASWELL TO JO. DAVIS, PRINTER.

[From Executive Letter Book.]

KINGSTON, 7th Dec. 1778.

SIR:

Enclosed you have a copy of a Resolution of Congress of the 16th day of October last, which you are requested to publish. A few days ago arrived in Cape Fear the sloop George, commanded by Mr. Caney who under the sanction of a Flag brought in sundry packets addressed to the Governor, Lieutenant Governor or President, of the State for the time being, The President of the Council for the time being, The Speaker of the Assembly for the time being, The Chief Justices and Judges of the Courts of Justice, The officer commanding in chief the Provincial Forces, and the Ministers of the Gospel in the said State in each of which were inclosed sundry copies of the Manifesto (both

in English and Dutch) issued by the British at New York the 3d of October last, one of which copies I send you to be published. You may also inform the public that Mr. Caney and the crew of the George are agreeably to the recommendation of Congress contained in the Resolution of Congress hereby required to be published, ordered to be sent under a proper Guard to the public Gaol at Halifax, there to be kept in close custody until the further order of the Legislature or Executive powers of the State.

I am Sir, your humble Servant,

R. CASWELL.

GOV. CASWELL TO MR. JOHN COURT.

[From Executive Letter Book.]

KINGSTON, 7th Dec. 1778.

SIR:

I am sorry to learn from Col. Perkins you refused furnishing his Regiment with provisions this morning. You cannot have forgotten that yesterday on your receiving orders in writing, that I desired you in case Col. Perkins had no Commissary to furnish his Regiment, and that you promised to do so. I now repeat that request and that you not only furnish him, but all the other Troops who have not a person appointed to furnish and make return to General Ashe (in my absence) at Elizabeth of the different Regiments or Detachments you have furnished, where you will receive further orders, and in case of your wanting money apply to the Paymaster.

I am Sir, your huml. Servt.

R. CASWELL.

GOV. CASWELL TO GENL. LINCOLN.

[From Executive Letter Book.]

KINGSTON 8th Dec. 1778.

SIR:

At length the Troops from the No. & Eastern Districts of this State have crossed the River, at this place. The whole I expect will join Genl. Ashe at Elizabeth Town six days hence from

whence they will be able to reach Charles Town in about a fortnight. I am much concerned to know the greater number of the Militia who have fire arms, have such as are by no means fit for service, and many of them have no arms at all. I flatter myself notwithstanding Gov. Lowndes' information to me, that arms will be furnished them.

I have received a Resolution of Congress recommending to this State to give you every assistance towards the reduction of Florida. This Resolution shall be laid before the General Assembly at their first meeting, (the first Monday in January) and their Resolutions thereon. I shall do myself the Honor to communicate to you.

My son (Col. Caswell) will wait on you with this, to whom I beg your Countenance so far as is consistent.

I have the honor to be with very great esteem and respect, Sir,

Your most Ob. Servt.

R. CASWELL.

COL. ANTHY WARD TO GOV. CASWELL.

[From Executive Letter Book.]

WILMINGTON, 8th Dec. 1778.

SIR:

I rec'd your Excellency's orders to send an officer with six men which I shall comply with and your orders in every respect. I hope I shall be able to send them off by the 10th of December. I also acknowledged the receipt of your warrant for £200 on the public; I observe you recommend me to act on all similar occasions that may happen agreeable to your orders which I shall comply with as near as possible. I am sir, your Mo. ob. huml. Servt.

ANTHY WARD.

GOV. CASWELL TO MR. JOHN GREEN, MR. THOMAS GRAY AND MR. R. BIGNALL.

KINGSTON 8th Dec. 1778.

SIR:

This covers an appointment to you to purchase provisions for the public, and also a Bond which you will be pleased to get executed and remit me when convenient. On application to me you will be furnished with what money may be necessary to carry on this business. You are to observe the following instructions, you are to buy only good Pork, that is such as is large and fat; those Hogs which weigh from 80 to 100 lb each you are to pay 18 per ct; from 100 lb to 128 lb £9 and all above 128 lb £10 per cwt. the meat to be well cured, put into good tight Barrels with half a Bushel of coarse salt and well pickled, tho' the pickle need not be put to it till the Spring. If any thing further occurs on the subject I will inform you. I am dear Sir.

Your mo. ob. servt.

R. CASWELL.

GOV. CASWELL TO HON. MAJ. GENL. JOHN ASHE.

[From Executive Letter Book.]

KINGSTON 8th December 1778.

DEAR SIR:

It is entirely out of my power to come over to Elizabeth, as I had promised myself the pleasure of seeing you there; I have not therefore written you as fully as I might have done on the subject of the army. I believe by the time this reaches you, the whole or much the greater part of the troops will have joined you. I am really sorry to find the Regiments are not fuller, but the principal cause is owing to individuals who have undertaken to find fault with the measures now pursuing. You will be pleased to make me a general return of the Brigade which marches from Elizabeth Town as soon as you conveniently can, and of Genl. Rutherford's Brigade whenever you can obtain return from him. These I wish

to have in time to lay before the General Assembly at their first meeting. You will proceed with your Troops the shortest and best route from Elizabeth Town to Charles Town where you are to put yourself under the command of Genl. Lincoln, and continue in that service until the tenth day of April next, unless sooner discharged. You are required to attend to a Resolution of Council which I enclose you a copy, to prevent the enlisting of your Militia in any other service during the time they are drafted for, and par ticularly in any Continental Battalion not belonging to this State. Our former complaints in Gen'l Lee's southern expedition were justly founded but never redressed. The other resolve respecting the discharge of the men, you will likewise be pleased to attend to. Lest you shall have vacancies in the Wilmington District among your officers, I shall send you by Col. Caswell as many commissions as I can get ready before he goes, which will be in a very short time. Give me leave to recommend him, (my son) to your particular notice.

Mr. Blount goes on with money to pay the bounty of the Wilmington men, and to take up such warrants as you as Commander of the troops shall think proper to grant, in favour of commissaries, Quarter Masters &c; my time will not allow me to give you a list of the officers. I have directed all I have seen of them to wait on you, those I have not seen will no doubt consider it their duty to do so. Shall be glad to hear from you on all occasions. You may rely on my doing what I can for you, in the business of the Treasury.

I am with great esteem and respect.

Dr Sir your ob servt.

R. CASWELL.

ROBT. ELLIS ESQ. TO GOV, CASWELL.

[From Executive Letter Book.]

WILMINGTON Decr. 9th 1778.

SIR:

On application to Genl. Ashe for the money to enable me to begin and carry on the building Fort Johnston, he informed me you did his business as Treasurer and that on my presenting the

order from the Commissioners to you, the money would be immediately paid. It is utterly out of my power to wait on your Excellency but I have sent Mr. George McCullock (a careful man) with the order, and must beg of you to hurry him away with the cash, as it is absolutely necessary to begin the Fort immediately, and without the money will be impossible. Your Excellency will please to take Mr. McCullock's receipt, and enclose it or a Copy to me.

Enclosed you have a Memorandum of such articles as are immediately wanted for the Fort, for which you will please give me orders on each respective officer in whose department they may be. The provisions Mr. Mallett informed me he would furnish on your giving him orders to do it. I will be much obliged to you to acquaint me when you will be at Elizabeth Town, that I may have the pleasure of seeing you there.

I am your Excellency's very ob. Servt.

ROBT. ELLIS.

MESSRS. THOS. BENBURY & ROB. SMITH TO GOV. CASWELL.

[From Executive Letter Book.]

EDENTON 10th Decr. 1778.

SIR:

We received yours of the 24th of Novr., the reason of your not hearing from us before is explained in Mr. Smith's letter. Captain Barrets proceeding to South Quay with his vessel left us no Invoice of the Cannon left here. We have examined the Cannon, but from the Swedish marks, we cannot determine the quantity of Tobacco the State will have to pay, but as near as we can guess we have to pay from one hundred and sixty thousand weight of Tobacco.

As to that part of your Excellency's letter relative to purchasing Tobacco, we can only answer that we can purchase none here, but as the meeting of the General Assembly is near at hand we doubt not but they will be able to remove every difficulty, and prevent the Demurrage, if any, from being considerable against this State.

The Cannon shall be delivered as your Excellency ordered, and your Commands in every other respect concerning them shall be faithfully obeyed. We are with respect Sir,

Your mo. ob. huml. Servts,
THOS. BENBURY,
ROB. SMITH.

ROB. SMITH ESQ. TO GOV. CASWELL.

[From Executive Letter Book.]

EDENTON 10th Decr. 1778.

SIR:

I am sorry to inform you that the Brig "General Gates," Captain Cunningham, in the Latitude of Bermuda, had the misfortune to be overset and totally lost. Whether Captain and Crew were saved or not we know not, but are anxious about their safety, as there were on board six young Gentlemen of the first families, and best expectations in this part of the Country, who went Volunteers to try their fortune. This together with the low markets in West Indies as well as in Europe prevents our sending out at this time the Brig. Lord Chatham, otherwise I should now enclose your Excellency a Bond executed for the commission you was so obliging as to send me. Should the Commission be used, I will immediately remit the Bond, and should it not be wanted, I will return it and the Bond and instructions. As Mr. Benbury was, when your express arrived, at his plantation, I was under the necessity of detaining him 'till I sent for Mr. Benbury, that we might consult what should be done after I received your letter by return of our express. I was confined for ten days to my room with an obstinate fever, part of which time it was a matter in doubt with me whether at this time of day I should be writing letters here or singing hallelujahs in Heaven. This will account for your not hearing from me before now.

I refer your Excellency to Mr. Benbury's joint letter and mine, and have the honor to be with singular regard and esteem Dear Gov.

Your very ob. huml. Servt.
ROB. SMITH.

ROB. SMITH ESQ. TO GOV. CASWELL.

[From Executive Letter Book.]

EDENTON 11th Decr. 1778.

SIR :

I joined Mr. Benbury in a letter to your Excellency yesterday. We could not exactly ascertain the weight of the Cannon but guessed them to be about 10,000, which at 1½ bb. would make 150,000 of Tobacco. There is about 60 @ 70 Hhds. of Tobacco belonging to the Continent in store here, perhaps you might buy or borrow it from Congress. We could buy some Tobacco in Virginia which Barrets might take in where he is, but the Virginians will not take our money. Capt. Wilson is now in Virginia, he shall have Cannon when he applies. There are nine 24 & fourteen 18 pounders. I have the honor to be

Your Excellency's mo. ob. Servt.

ROB. SMITH.

[From Executive Letter Book.]

Extract of a letter from Lord Stirling dated 15th Novr. 1778.

The fleet which dropped down to Sandy Hook on the 12th remained yesterday evening. The winds have been either ahead or too high to put to sea. They have on board their fleet the whole of the 71st Regiment Highlanders, two Battalions of Hessian Grenadiers, two Battalions of Delancy's, two of Skinner's new Levies, three companies of the 34th and two of the 33rd. They were convoyed by the Vigilant and three Gallies; it is said are watered for a fortnight only and talk of coming back soon, but from a variety of circumstances I think their destination is East and West Florida. Col. Campbell now a Brigadier commands them.

Extract of another of the 20th.

All the alteration on board the fleet is that they have taken in more water and some large Cannon from W. Whitehall and the Convoy is augmented with the Experiment and Phœnix and three Gallies or Gun Boats. Gen. Gray's baggage was yesterday put on board the Labsiene, Frigate, but whether he goes with the fleet or to England is uncertain. The fleet will sail this day or to-morrow. Their destination uncertain.

21st November.

I am informed that the 71st Regiment were yesterday disembarking on Staten Island.

23d November.

The fleet of Transports &c. remain at the watering place, within the narrows, it is said waiting the return of an express, sent to Rhode Island. I fancy Count de Estaing going to the Southward puzzled them. It is certain that they have within a few days embarked a good deal of Cannon at New York. Two of the Transports which lay at Sandy Hook in the storm of the 13th were blown off in the gale, at N. W. and have not been heard of since. Col. Isaac Allen is on board with five Companies of his Regiment.

CAPT. J. TILLMAN TO GOV. CASWELL.

[From Executive Letter Book.]

12th Decr 1778.

Sir:

We have purchased a Boat for the use of Fort Hancock, as our necessity was so great and we could not possibly do without. Col. Thompson was kind enough to advance the money to pay for her; the price was three hundred pounds; hope your Excellency will assist in procuring the money for him. My soldiers have received their money which gives them new spirits, but are suffering much for want of their cloaks, as I have never heard from Mr. Craig since at Beaufort. I am Sir,

Your Excellency's mo. ob. Servt.

J. TILLMAN.

N. B. If Mr. Craig has not purchased the clothing, I believe Col. Thompson would undertake to furnish them, if he was appointed. I think Mr. Craig lives at too great a distance to supply us properly.

J. T.

DR. THOS. BURKE TO GOV. CASWELL.

[From Executive Letter Book.]

PHILADELPHIA Dec. 20th 1778.

DR SIR:

On our arrival here which was on the 9th of this month, we found the City much engaged by a publication which you will find enclosed, and in which Mr. Deane has made some very home accusations. We found it occasioned some little ferment in Congress, and that Mr. Laurens resigned the Chair, because they would not take notice of it, as an affront to their dignity, we thought it but prudent to decline going in, for a few days until this little fracas was over, leaving those to decide on *punctilios* who had been best acquainted with public characters. On our going into Congress we found them engaged principally on finance, and that they had spent much time in maturing something which we totally disapprove. I will endeavour to give you the General outlines as perfectly as they are yet to come to our knowledge.

Two Emissions are to be called out of circulation, viz.: 20th May 1777, 11th April 1778 on pretence of their being much counterfeited. They are by *Authority of Congress* to be called in by the 1st of June next, and not afterwards to be redeemed. They are to be replaced to the proprietors by Loan certificates or New Bills. Our objections are that Congress by its own authority cannot prevent the currency of money which our Laws made a legal tender, because that implies a power to suspend or repeal our Laws. That the time is too short for our people so dispersed as they are and so circumstanced as not to be able to receive notice in time sufficient to enable them to bring in their money. That it is not in the power of Congress to declare any Emission of money irredeemable at any certain time because it implies a power to destroy at pleasure the security which the people have in all the property vested in paper money. That all that should be done is to deny its currency and leave it to the States to enact Laws and fix the times of their operation for that purpose. We were however overruled, and we find that our Country will be subjected to the payment of a heavy debt, borrowed at an exchange of ten for one and which we must discharge at par, with six per cent. inter-

est. This debt too is incurred to Commercial Individuals who alone have money to lend and who have acquired it by engrossing and extortion. Thus shall we realize fortunes for Individuals and subject our Country to a debt, which were it not for loans, a little industry would pay off, but which Loans make heavier than if all we have borrowed had been gold or silver. I believe this mischief is inevitable, and having long since foreseen it, I always was averse to giving the powers of borrowing and emitting to Congress by the Confederation, a power which I am persuaded will always be used for purposes partial, and unjust, and either to serve particular States, or Individuals to the prejudice of the whole community. Besides what I have mentioned, a vote is passed for raising by Tax fifteen Millions of dollars, a sum which I am persuaded is not equal to our abilities, but this simple and unexceptionable mode for sinking the excess of paper Currency, is not so much favored in Congress as the intricate, injurious and ineffectual mode of Loans, and the reason is obvious enough. Loans give advantage to the States who have furnished supplies at extravagant prices, and therefore abound with money, by giving them an opportunity of lending at a high interest when money is depreciated ten for one, to be paid hereafter, when it will be restored to its original value.

As you will see Mr. Harnett, I will not be more particular at present; he can give you a just idea of our expenses. Mr. Hill and myself have paid our Bill for the first two days we were in Town, amounting to forty pounds, and the prices were extravagant, I assure you the articles were few and moderate. The City is a scene of gaiety and Dissipation, public Assemblies every fortnight and private Balls every night. In all such business as this we propose that Mr. Penn shall represent the whole State. We will give you our thoughts and some things to be laid before the Assembly in a separate letter. Mr. Hill desires me to present his compliments to you. He will write to you a private letter by the next opportunity. I am Dr. Sir with sincere regard and esteem

Your obdt. Servt.

THOS. BURKE.

JO. GUION TO GOV. CASWELL.

[From Executive Letter Book.]

Whitlock 20th Decr 1778.

Dear Sir:

A few days since Mr. Stanly was at my house, to my great surprise informed me that Mr. Wilson Blount, had taken 100 Barrels of the salt (I told you) to his use. The salt was put in his store, and at the same time I engaged the store, offered him the salt, but he refused having it, but at the same time talked of wanting a few bushels to repack some pork, and since I requested to know of him, if he proposed to have any of my salt, as I intended them to sell only 100 Bars. but told me as before, on which we parted, and a few days after, took 100, but without having my order for the same. I have been in Town in order to see Mr. Blount, but was informed he was gone to So. Quay. How I shall settle the matter with your Excellency other than to repay the money I can't tell, unless Mr. Blount will replace the salt, however shall be glad to have a line sent to New Bern at Mr. Cogdell's or any other place. For Dr Sir,

Your Mo. respectful & obedt Servt.

JO. GUION.

EDWD. STARKEY TO GOV. CASWELL.

[From Executive Letter Book.]

White Oak Decr 22d 1778.

Sir:

Last saturday was brought into this Inlet a French vessel from Cape Francois, that had been captured the 1st of this month off the Cape of Delaware by a British Cruiser, belonging to a Fleet, of about 60 sail, said to be bound to St. Augustine tho' the French Captain conjectured they were intended for Jamaica. The course they steered So.So. west, while this vessel remained with them would induce me to believe their determination was somewhere to the South of this Continent. The French Captain informed me the enemy's fleet was extremely short of provisions, and that they

pillaged him of most of what he had. That some days after he was captured, his vessel was separated from the Enemy's Fleet in a gale of wind, and driven on our Coast. Their provisions being exhausted, the Prize Master with the consent of his people, surrendered the vessel to the Captain, who came ashore, and got assistance to bring the vessel into Port. The Captain has put his business into my hands, and I yesterday morning made an entry of the vessel in the Naval office. I would wish to have your opinion, as an entry in the proper office has been made, and as the vessel came from a place in alliance with us, and as there are no persons who have any pretensions to any part of the vessel or Cargo, but such as are well satisfied with the Contract made with the Captain, whether the Court of Admiralty has any thing to do in the matter, and if it has shall be extremely obliged to you for your directions in what manner I ought to act.

My not attending the last meeting of Council prevented my informing you that it was out of my power to purchase Pork at the price limited. I could have made up almost any quantity at £9 and £10, and I believe I can yet procure a good deal at that rate, but as the price was higher than any other purchasers for the public gave, I thought it necessary to trouble you about it. I am to load this French vessel with Lumber and Naval Stores, so that my attending the Assembly will be very prejudicial to me, as I am certain she cannot have the same despatch in my absence as if I should be at Home, but if you think my attendance cannot be dispensed with, I will be at Newington at the time appointed by your Excellency for setting off for Halifax. I am Sir, with great respect

Your Mo. ob. huml. Servt.
EDWD STARKEY.

MAJ. GEN. B. LINCOLN TO GOV. CASWELL.

[From Executive Letter Book.]

HEAD QUARTERS, CHARLESTON, Decr. 22d, 1778.

DEAR SIR:

I have the honor to enclose the Copy of a deposition, rec'd from Gov. Houston and Extracts of Letters from Lord Stirling. The latter in some measure shows the credibility of the former, and we have in confirmation of both this fact, viz, more than forty ships passed this place yesterday sailing Southerly, all pointing to a probability that the enemy will attempt Georgia. I hope, Sir, the Troops from your State are nigh, but lest they may have been halted, on an idea that all was safe, I have sent to Genl. Ashe to urge them on as fast as possible, and now request if they have not left the State, that your Excellency would order them forward. By a number of resolves received last night, Congress have planned an expedition against East Florida, and in case the enemy have no hostile intentions against these States, we may need the Continental nine months men for that service, and perhaps may enlist some Militia for the expedition; if they cannot be enlisted they may serve as a cover to this Country while others go forward. I have the honor to be, Dr. Sir,

Your Excellency's mo. obd. Servt.,

B. LINCOLN.

TESTIMONIAL.

[From Executive Letter Book.]

23d Decr.

Last night were seen off this Bar upwards of a hundred ships, which it is probable may make an attempt on this Town.

SAVANNAH IN GEORGIA, Sunday 6th Decr. 1778.

The examination of William Haslan, a No. Carolinian, late belonging to the Transport ship called the Neptune, of which one McDougald is commander, as follows:

The examined says he arrived in the said ship last Sunday afternoon at Tybee, having been out from Sandy Hook, that day was

three weeks, that the said ship was one of a fleet consisting of about twenty sail, which were lying at Sandy Hook, ready to sail, that a violent storm having come on, the ship Neptune and another ship parted with their anchors, and were obliged to put to sea. That after they came out that Capt. McDougald issued his orders, which were to proceed to Tybee in Georgia, and there remain for 48 hours, and if the rest of the fleet did not arrive in that time, then to proceed to St. Mary's, and there wait till the fleet should arrive at Georgia. That he understood the Army on board the said Transports consisted of about 5000 men, and thinks they would be ready to sail the day next after he came away. That they were to come under the convoy of the Phoebus, a 40 Gun ship, the Vigilance, a large floating Battery; a row Galley and one or two sloops of War. That the army was mostly composed of refugees from America, and that Genl. Skinner commanded a part of it called the Jersey Volunteers, but that there are among them three Battalions of British regulars belonging, as the examinant was informed, to the seventy first Regiment. That the Neptune has on board her upwards of 100 men besides fourteen mariners who have chiefly their families with them, and say they are come to winter in Georgia. That they are called the Jersey Volunteers, and are under the command of Col. Allen, who has large possessions either in Jersey or Pennsylvania. That the Neptune is of no force but Musqueteers, that they have had very bad weather, since they put to sea, and were near being lost as they came into Tybee. That they saw nothing at sea, since they left Sandy Hook, but one small vessel which they took to be a privateer, two days before they came in. That there was a large fleet with about 10,000 men on board, left New York about three weeks before the Neptune came away bound, as the examinant understood, for Virginia, but he saw or heard nothing of them since. That he heard no talk lately of any thing coming against South Carolina, but that it wasthe common talk that the 5000 men before mentioned were coming to winter in Savannah. That last night and the night before he heard a number of large Guns fire out at sea, and takes it to be some of the fleet. That he had not lately before he came away been up at New York, but saw a petition down at Staten Island, signed, as it was said, by 5000 men belonging to the Jerseys, praying to be taken into the British service. That he heard

no other news but that it was the common report. That the orders now were to burn and destroy all who would not submit.

W. HASLAN.

The above sworn to before me, the day above written.

T. HASLAN.

GOV. CASWELL TO PETER MALLETT ESQ.

[From Executive Letter Book.]

KINGSTON 25th Dec., 1778.

SIR:

Your favor of the 23d Inst I received. The mistake in the quire of Bills, sent by Capt. McAlister, and returned by Mr. Porterfield I have rectified by giving Mr. Porterfield a quire containing Fifty dollar Bills instead of five dollars, which that he returned contained. How it was overlooked I know not, but I impute the mistake to the great hurry we were in at the time that money was delivered. The Bond for faithful application of the money I also received. I can't say I intended that I should cancel the former, and I suppose it can make no manner of difference to you who I have no doubt will settle your accounts regularly with the Assembly when the condition of each of the Bonds will be complied with. I thank you for the attention you have paid to the army and giving them that supply of provisions they have stood in need of. The driving stock to Charles Town, which you say Genl Ashe advised, I much approve of and in order to enable you to fulfil any contracts you may have made in this State, I now send you by Mr. Porterfield, Ten thousand dollars our currency; I cannot furnish Continental. A large sum of this sort has been sent on to Charles Town to defray all the expences of this expedition and I am informed the rule in the Continental army, which in our case ought to be observed, as this will be a Continental expense, is that all warrants for money to be issued by the pay master should be signed by the Commander in Chief of the Troops, when they are out of this State. I have no command of course; my power ceases in that particular, and from that time until they join the Troops at Charles Town, Genl Ashe will have to do this business, afterwards I apprehend Genl Lincoln or who-

ever commands in chief. If wagons cannot otherwise be had you must get them impressed agreeable to the directions of the Militia Law, but observe that this is to be done only in this State. I wish you success in all your undertakings, and that you may have health, and strength of body to go through this fatiguing business, and am Dr Sir

Your most obedient servant

R. CASWELL.

COL. MONTFLORENCE TO GOV. CASWELL.

[From Executive Letter Book.]

May it Please Your Excellency:

The very long sickness I have undergone as well as my wife, having forced me to spend all I had, obliged me to put out of my mind all thoughts of prosecuting my Military designs, whereby I could scarce have got a living for myself alone. I am therefore determined to settle in this State, if I can meet with any encouragement. I intend too presenting to the Honorable Assembly a petition to be named French Interpreter to the State and to your Excellency. If I am happy enough to meet with your approbation, which I do most earnestly solicit as well as the honor of your protection near the General Assembly in favor of my demand, the affluence of French vessels, and of the natives of France to North America, which will even much increase when War will be over, will render that place necessary and indispensable. The Virginians have felt that necessity long ago, and have appointed a German who understands both languages, French interpreter with a very good pay; besides it would save your Excellency of being troubled with French petitions and letters from the Captains of the ships, who would then address themselves to me first.

Moreover I have the honor of informing your Excellency that I keep now the school at New Bern where I do teach the Greek, Latin and French languages, with arithmetic, the principles of Mathematics, Geography and Book-keeping. I believe myself well qualified for this profession, tho' I never exerted it before, having been educated in the University of Paris, where I studied for two

years Philosophy, and for eight years Mathematicks, and I can flatter myself of giving to my scholars the best principles in what I do teach them, and of bringing them to understand their Latin Authors by the shortest and easiest means. Experience will prove what I here set forth. Neither care nor proper attendance will be wanting, my ambition having always been to make myself a reputation in every thing I undertook. I would be very proud if your Excellency would entrust me with the education of your children. I would take a very particular care of their learning and improvement, and will teach them besides if agreeable to your Excellency, the manual exercise of arms and maneouvres as performed in the Irish Brigade in the French service in which I had the honor to serve as an officer for more than nine years. I further ask leave to dedicate to your Excellency a short treatise of Geography I have begun during my sickness, but that my occupations present will hinder me of getting printed before some months; it is an abridgement to the use of all sorts of persons. As my design is to remain several years in this country, and desiring to follow on my expected business with success and honor, I should wish the protection of your Excellency would procure me the place I call for to the General Assembly to help me out living, every thing being now at an extraordinary price at New Bern, and what I get from my school very little. I recommend myself to the honorable protection of your Excellency and have the honor to remain with the utmost consideration, most honorable Sir,

Your Excellency's most humble & obedient Servant,

COL. MONTFLORENCE.

Decr. 23d 1778.

P. MALLETT ESQ. TO GOV. CASWELL.

[From Executive Letter Book.]

CAMPBELTON Decr. 23d. 1778.

SIR:

I am now to acknowledge your Excellency's favor of the 5th Instant by Capt. Mc Allister and by him I received five quires some odd sheets and bills, which would have been the sum mentioned, had the quires have all been of one stamp. This error I

doubt not can be easily put to rights, and for any other particulars relative to that matter, I beg leave to refer you to Mr. Porterfield. The Bond which came enclosed I have got executed, and will be handed your Excellency by Mr. Porterfield; if this Bond is also meant to cancel the bond I gave at Hillsboro, as well as other purposes, will you please to signify it in your next. The Army under the command of Genl Ashe, have not yet marched; I believe their delay is mostly for want of wagons. Last Friday I received a letter from the General pressing me in the strongest terms for at least six wagons, but the Rivers being so high that the wagons could not travel, which put it out of my power to send that number, on Saturday I despatched four which must have reached camp on Monday and at the same time gave Genl. Ashe to understand that no more could be expected from this quarter, in time to move the Troops. The supplies to this army as yet have been mostly in flour and bread, amounting to 200 bbls. and large odd Barrels. I am now collecting a drove of Cattle, and about 500 Hogs near Pedee in order to go to Camp occasionally. The Genl's. last letter to me recommended it strongly to forward all the flour I possibly can to Charleston. I shall accordingly be preparing from 12 to 20 wagons with that article without loss of time,tho'their movements will be governed either by your Excellency or the General's order; all these wagons must be pressed except my own unless advice to the contrary.

The money for these different supplies if meant to fall wholly on myself will amount to no small sum, and that ought to be in Continental dollars. Whatever orders or money your Excellency shall judge proper to send me, will be safely delivered me by Mr. Porterfield who I wish to be despatched. I had almost forgot to ask your Excellency whether a letter of credit or something like that will not be necessary to produce to the Gov. and Council or Treasurers of No Carolina in order to command such supplies as are wanting in our Camps. I am

Your Excellency's mo. ob. huml. Servt.

P. MALLETT.

PRES'T. RAWL LOWNDES OF S. C. TO GOV. CASWELL.

[From Executive Letter Book.]

CHARLES TOWN, 27th Decr. 1778.

SIR:

It is now evident the enemy intends to invade this State & Georgia. Twenty seven of their Ships are arrived at Tybee, and 10 at and both places within 10 or 15 miles of Savannah, and from the information we have received that force is a part of the Armament we may expect. In this situation Sir, we shall stand greatly in need of the support of our neighbours, and that succour which Congress meant we should desire from your State. I flatter myself it is only necessary to inform you of our design to engage you in our behalf. Our stock of arms is barely sufficient to afford a supply to our people, which circumstance I think it my duty to apprise you of, and that they have been obliged to issue to the Troops already arrived from your State near 700 stand.

I have the honor to be &c.

RAWL. LOWNDES.

GOV. CASWELL TO MAJ. GEN. JOHN ASHE.

[From Executive Letter Book.]

KINGSTON, Dec. 29th, 1778.

DEAR SIR:

Your favour of the 24th current, with general returns of the militia and Continental Troops under your command, came to hand two days ago. It would really have given me great pleasure to have seen you at Elizabeth Town, but the duties of my appointments made it absolutely necessary that I should remain here until the Troops had all passed this place. That has not yet happened. Colo. Lamb is here waiting for somewhat upwards of an hundred Continental Troops and some Militia which he hourly expects. These men on their arrival shall be sent forward with all imaginable dispatch. Many small parties have been sent on since I had the pleasure of writing you last; some of them I hope have arrived at Elizabeth Town before this. I am really con-

cerned to learn the Troops with you are so far short of the number ordered out. I find by a return from Genl Rutherford which he sent me a few days ago, tho' not Complete, the Militia from several Counties not having joined him, that his Brigade is equally short. The deficiency in arms and accoutrements I am sensible of and equally concerned at, but it seems these deficiencies cannot be removed here. I hope the same may be done to the Southward, tho' the Governor of South Carolina on my application to him signified we could not be furnished by that State. Genl Lincoln on his way seemed to think otherwise and supposed the arms there were Continental, having been assured by the President of Congress that a sufficient number were at Charles Town. When I mentioned these difficulties to the Genl from his answers I was led to believe he thought our people would obtain arms there, and I sincerely hope they will. Otherwise I am well convinced little service can be expected from them with what they have.

I do not recollect the particular mode of expression in the Resolve of Council or the manner I have expressed myself in the order consequent thereto respecting the discharge of the Troops. I believe it was the sense of the Council. I know it was my own, that the Troops should not continue in service in the Southern States longer than the 10th of April. That they should then be discharged from that service, but by no means be disbanded until they return to this State, and at such places as may be most convenient to the detachments from the several Regiments in this State. I am truly sensible of the inconveniences you mention and know such must arise from the disbanding of our Militia in neighboring State. However, this matter I will lay before the Council, and do myself the honor of writing you more fully on the subject when I obtain their further advice thereon. I send a dozen blank Commissions by Mr. Johnston, and in conformity to your recommendation I send the Adjutant General's commission to Col. Caswell. I had no thought of making the appointment until you should think proper to recommend a person, of course had no one in view. The person you have been pleased to make choice of I know will do the best his knowledge and abilities will enable him, but I fear Sir, they will not be found to be equal to your expectations, or my wishes. If on a trial, it shall turn out so, I hope he will have

discretion enough to resign and you will be pleased to accept his resignation accordingly, for altho' it will always give me pleasure to hear of his promotion yet my vanity would never prevail on me to wish him to hold an appointment in conducting which, he must disgrace his Country. Give me leave to thank you Sir, for the honor done my son, in this appointment, and to request the favor of you to consider him only according to his merit, you know how censorious the world is, and how apt they are to charge partiality to the account of men acting in yours and my stations. This freedom you will excuse and also this incorrect scroll; the bearer is waiting and myself much hurried. It will always give me pleasure to hear from you, and be assured that I will frequently give you an opportunity of hearing from me.

I am Dr. Sir, with the greatest respect and sincere esteem your most obedient servant,

R. CASWELL.

MESHECH WEARE TO GOV. CASWELL.

[From Executive Letter Book.]

STATE OF NEW HAMPSHIRE, EXETER 29th Decr. 1778.

SIR:

I am desired by the Legislature of this State to transmit to you an act passed here for preventing a return to this State, of certain persons therein named, and of others who have left, or shall leave the State, or either of the United States of America, and have joined or shall join the Enemies thereof, which I accordingly enclose, and am to desire the favor of you to transmit to the Assembly of this State, a list of persons who have left your State, and joined the Enemies of the United States, in order that such persons may be prevented from residing in this State.

I have the honor to be with great respect your Excellency's ob. huml. Servt.

MESHECH WEARE.

JUDGE JAS. IREDELL TO GOV. CASWELL.

[From Executive Letter Book.]

EDENTON 31st Decr. 1778.

SIR:

As I had the honor to be appointed to the great office which I lately held with peculiar marks of kindness and distinction, gratitude, as well as duty required, that I should give my reasons in a very particular manner for so early a resignation. This I did in the letter which I had the honor to write to your Excellency on that occasion, and I flatter myself your Excellency would have been pleased to acquaint the General Assembly at their next meeting with the motives which actuated my conduct. I have had the concern to find however, that the urgency and importance of the public business for which the Assembly was specially called to their last session, prevented your Excellency's attention to me in the manner I had hoped and expected. I am well assured the omission arose from this circumstance only, but as the justification of my conduct, in a matter of so much importance to my reputation, and where it may be easily liable to misconstruction, is a subject of much anxiety to me, I hope your Excellency will be so obliging as to lay my letter of resignation *now* before the Assembly, in order that they may be assured that no light or capricious motives influenced either my *acceptance* or my *resignation* of the great honor conferred on me.

I flatter myself your Excellency will excuse the trouble I thus desire to give you, and the liberty I presume to take in enclosing a Copy of my letter, as possibly your Excellency may not have the original with you at Halifax.

I am with great respect Sir, your Excellency's obed &c.

JAS. IREDELL.

MAJ. GEN. B. LINCOLN TO GOV. CASWELL.

[From Executive Letter Book.]

Pocotalogo, 28 miles from Savannah Dec. 31,—78.

Dr. Sir:

I am just informed by a letter from Genl. Howe that the Enemy, about twenty-five hundred in number, have taken possession of the town of Savannah, after a fruitless though brave defence being made by five hundred men, which were posted there and in the vicinity.

There has not as yet arrived more than nine hundred Troops, from your State, and all that I can collect amounts to about fourteen hundred, a small force to act against an Enemy so much superior. The distressed State of Georgia will claim your assistance.

I am with great esteem and respect your Excellency's mo. ob. Servt.

B. LINCOLN.

MISCELLANEOUS LETTERS, &c.

U. S. Pension Office.

North Carolina Miscellaneous Rolls.

Not Paged. No Date.

"Names of commissioned and non-commissioned officers belonging to the 3d N. C. Battalion, copied from the orderly book of Serg't Isaac Rowel of North Carolina."

James Hogun, Col.
Wm. L. Davidson, Lt. Col.
Thomas Hogg, Major.
Anthy. Hart, Adjt.
Fracs. Graves, Q. M.
John Baker, S. M.
Jonathan Lumos, Surg'n.

John Horton.
Humphy McEnberg.
Wm. Shadford.
Charles Rhodes.
Andw. Rowen.
Richd. Holes.
S. Bolten.
S. Brown.
John Godwin.
Wm. Johnson.
Benjh. Kitchen.
Moses Bishop.
J. Beasly.
Joseph Parker.
S. Miller.

Captains:

Blount.
Baker.
Childs.
Montford.
Farterson.
Ballard.
Bradley.
Hart.
Quinn.

Thos. Roberds, S. M.
Henry Miller, D. M.
John Fleming, Q. M. S.
Thos. Endlys, F. M.

Lieutenants:

Yarbrough.
Mackney.
Clendennin.
Fawn.
Graves.
Verrier.
Powers.
Allen.
Conniel.
Campbell.
Ford.
Tatum.
Wallace.
Wilkinson.

ORDERLY SERGEANTS:

John Steptoe.
John Reddie.
Jesse Hardison.
Sam[l]. Reed.
Isaac Rowel.
Henry Cooper.
Elijah Hinson.
John Hall.
Briant Lee.

No signature.

Endorsed—

Col. Hogan's (sic) N. C. Line.

NOTE.—It will be observed that in this roll Jas. Hogun appears as Col. of the "3d N. C. Battalion". It's date must therefore be subsequent to June, 1778, up to which time Jethro Sumner was Col. of the 3d (See Returns). Hogun was originally Col. of the 7th. Sumner had probably been transferred to N. C. to organize the Continentals which he afterwards commanded at Stono, June, 1779—and Hogun was then transferred to the 3d, his own reg't (7th) having been consolidated with others in June, 1778. Both were promoted brigadiers. Jan. 9, 1779.

GRAHAM DAVES.

"FIELD RETURN" OF N. C. CONTINENTAL LINE.

CORYELL'S FERRY, June 22, 1778.

Coryell's.

Colonels 2, Lt Cols 2, Majors 1.
Captains 11, Subalterns 27. Ib. p. 22.
Serjeants 47, Drum & Fife 34.
Rank & File present fit for action 728.

Do. Do.

MONALAPAN BRIDGE, June 28, 1778.

Monalapan.

Colonels 2, Lt. Cols 2, Majors 1. Ib. p. 23.
Captains 7, Subalterns 16, Serjeants 28.
Rank & File present &c., 369.

"GENERAL RETURN."

July 4, 1778.

This ordered copied.

Field officers as above.
Capts 9, Lieuts 11, Ensigns 11. Ib. p. 24.
Serjeants 30, Drum & Fife 24.
Rank & File present &c 514.
Total present and absent 1212.

Book 37, old No. 31, p. 48. Return of Nov. 13, 1779—Garrison West Pt.

[From MS. Records in Office of Secretary of State.]

Memorial of Ambrose Ramsay, N. Rochester & Wm Johnston Esqr. respecting Gun Manufactory—Hillsboro District.

To the Honorable the General Assembly of the State of North Carolina:

The Memorial of Ambrose Ramsey, Nath. Rochester and William Johnston

SHEWETH.

That your Memorialist with Dr. Thomas Burke, were appointed Commissioners by the Congress that sat at Halifax in April one thousand seven hundred and seventy-sixty, to establish a Gun manufactory in the District of Hillsboro; and for this purpose received one thousand pounds. But from the difficulty of procuring workmen & other causes, they found it impracticable to follow the intentions of Congress in their full extent.

They were ordered to make two hundred muskets, and were limited to one thousand pounds, a sum they found insufficient even for the purpose of buying them, and much more so for erecting works and making them. Therefore, after some time had elapsed in fruitless attempts to find workmen, they resolved to lay out the money as far as it would go, in employing Smiths to make them at their own shops. Accordingly as the most expeditious method, they employed one to make barrels, and another to make bayonets, ramrods & mounting; and at length they found a Smith who undertook to bore the barrels, stock them & complete the muskets for which purpose your memorialist erected a house for a shop, & a boring machine at a creek on Dr. Burke's land about a year ago, but the stream soon thereafter failing & remaining ever since almost dry, they have never from that time been able to proceed further.

They here annex a note of the articles already procured and the money disbursed, and as the balance now in their hands is quite insufficient to finish what they have begun, especially as it will be necessary to erect new works on another stream, & carry the boring machine there, they desire to be advised by the Honble. Assembly what to do; and as they are told this State is now well

provided with muskets, they submit it to the consideration of the Assembly, whether or not it would be better to sell off the whole materials which they believe would indemnify the State for all disbursements.

NATH. ROCHESTER,
WM JOHNSTON.
AMBROSE RAMSAY.

The State of North Carolina in Acct. with the Commissioners of Hillsborough District Gun manufactory Dr. Cr.

1776			
	By Cash rec'd of Saml. Johnston Esqr. Treasurer		£1,000
1776			
	To paid towards forging 200 musket barrels	£80	
1777			
	To Do Do	106.13.4	186.13.4
	To paid towards making 400 Bayonets, 200 Ramrods & 200 sets of mounting	175	
	To paid for building a Smith's shop, & erecting a boring machine, at Dr. Burke's Creek	58.17	
	To 33 Gunlocks	25.10	
	To 11 Smith's Files	3.13.6	
	To Iron & Smith work at the boring machine	4.12	
	To Carriage 200 Gunlocks from Philadelphia	6.00	
	To paid the Smith who undertook to bore the barrels on acct.	6.00	
	To Carrying of his Tools fm. Cumberland	5.10	
	To repairing Dr. Burke's Mill Dam where the machine is erected, nails &c for the building	19.9.2	
	To Grindstone	2.8	
	Cash in the hands of Dr. Burke	184.15.10	
	Do in the hands of Colo. Rochester	323.10.6	1000
		£1000	£1000

To Balance due the Smith for making Bayonets & ramrods &c 112.10
To Do for additional work done at the machine 15.
100 setts mounting engaged
72 Barrels Do.
Articles on hand Viz:
200 Ramrods
200 Bayonets forged
100 Sets mounting
128 Musket Barrels forged
11 Smith's Files
1 Grindstone
33 Gunlocks
200 do purchased by Dr. Burke at Philadelphia and charged to the State.

State of North Carolina to United States. Dr.

1775.			
Nov.	8.	To Cash paid Jos. Hewes Esqr., a Delegate of the State,	3,750
1776.			
Jany.	27.	To do paid the Delegates of the States,	10,000
"	19.	To do paid do,	300
Oct.	23.	To do paid do,	2,000
Nov.	11.	To do paid Sam Johnson's draft favor J. Underhill,	500
"	11.	To do paid do do favor do,	1,680
"	25.	To do paid do do favor S. Dickenson,	500
Dec.	4.	To do paid the Delegates of the State,	400
1778.			
Feby.	7.	To do paid S. Johnson's draft favor J. Underhill,	500
"	10.	To do paid do do favor T. Burke,	416.60
"	20.	To do paid Delegates of the State pr. warr't 20th January,	750
Mar.	15.	To do paid Mr. Ashe's draft fav. T. Craike,	1,437
"	15.	To do paid do do favor J. Littlebridge,	2,000
"	15.	To do paid S. Johnson do favor R. Blackledge,	2,500

Apr.	3.	To do paid J. Ashe's do favor W. Dent,	4,125
"	5.	To do paid do do favor D. Mallett,	375
"	7.	To do paid do do favor P. Mallett,	375
"	8.	To do paid S. Johnson do favor R. Blackledge,	750
"	9.	To do paid J. Ashe's do favor R. Gillies,	1,802
"	9.	To do paid do do favor do,	1,820
"	9.	To do paid do do favor do,	1,804
"	19.	To do paid do do favor T. Rutherford,	125
"	26.	To do paid do do favor F. Brice,	250
"	26.	To do paid do do favor D. Mallett,	250
May	3.	To do paid do Johnson do favor J. Green Jr.,	500
"	5.	To do paid do 3 do favor do 500 each,	1,500
		do favor do,	1,250
		3 do favor do 625 each,	1,875
		do favor do,	500
		do favor do,	2,500
		J. Ashe's do favor T. Craike,	2,000
		2 do favor do 1000 each,	2,000
		do favor Capt. E. Tinker,	500
		do favor F. Brice,	350
		do favor do,	1,250
"	6.	To do paid S. Johnson do favor S. Butler,	1,750
			54,384.60
		Amounts brought Over	54,384.60
1777.			
May	14.	To Cash pd. Sam. Johnson's draft favor of J. Green,	1,250
		do do favor of do,	250
"	23.	To do pd. J. Ashe's do favor W. Dent,	250
		do do favor D. Mallett,	300
		do do favor F. Craike,	750
		do do favor do,	728
		do do favor P. Mallett,	1,000
		do do favor do,	500
		do do favor D. Mallett,	500
"	26.	To do pd. do favor A. Blanchard,	1,450
"	28.	To do pd. Delegates of the State,	3,000

June 4.	do pd. J. Ashe's draft in favor Jas. Salter,	666	
	do do favor of P. Mallett,	800	
	S. Johnson's do favor J. Green, Jr.,	250	
" 6.	To do pd. Jno. Ashe's do favor of E. Corbin,	870	
" 10.	To do pd. do favor of Capt. M. Phifer,	1,000	
" 12.	To do pd. do do favor of N. Phillips,	550	
" 14.	To do pd. R. Caswell do favor of	2,350	
	To do pd. Peter Knight for 1 pr 3 pounds &c. per the musquito,	121.61	
" 17.	To do pd. J. Ashe's draft in favor of E. Corbin,	250	
" 18.	To do pd. do do in favor of T. Craike,	1,000	
	do in favor of W. Dent,	375	
" 19.	To do pd. do do in favor of Thos. Craike,	4,000	
	do in favor of Jacob Blount,	7,500	
	S. Johnson do in do of James Green	2,500	
" 24.	To do pd. Jno. Ashe's do in do of D. Smith,	250	
July 5.	To do pd. do do in do of J. Salter,	1,000	
" 8.	To do pd. do do in do of L. Sawyer,	250	
	do in do of J. Jones,	250	
" 9.	To do pd. do do in do of T. Craike,	6,000	
	do in do of J. Walker,	492	
	To do pd. the Delegates of the State	300,000	
" 12.	To do paid Jno. Ashe's draft in favor of D. Mallett,	500	
	do do in favor of F. Brice,	500	
	do do in favor of do,	475	
	do do in favor of F. Child,	100	
	do do in favor of J. Payneville,	100	
			396,512.31

1777.

	Amount brought forward,		396,512.31
July 15.	To cash pd. J. Ashe's draft in favor of Maurice Moore,	500	
	do do do S. B. Cunningham,	750	
	do do do W. Dry,	120	

" 22.	To do pd. S. Johnson's do do R. Collins,	3,435
	Jno. Ashe's do do L. Sawyer,	250
	do do do J. Sexton,	250
	do do do do W. Blount,	3,079
	do do do T. Craike,	5,000
	do do do do,	1,036
	do do do J. Easton,	1,500
" 29.	To do pd. do do do Capt. B. Williams,	375
Augt. 2.	To do pd. do do do do F. Brice,	450
	do do do F. Jones,	458
" 7.	To do pd. do do do J. M. Alexander,	400
" 20.	To do pd. do do do do P. Mallett,	400
	do do do do,	500
" 26.	To do pd. do do do D. Mallett,	800
	do do do do,	250
Sept.	To do pd. do do do do D. Nesbit,	250
	do do do do,	500
	do do do do,	125
Oct. 3.	To do pd. do do do J. Hay,	250
" 9.	To do pd. do do do D. Mallett,	1,000
	do do do W. Dry,	500
	do do do do R. Patterson,	250
" 14.	To do pd. do do do R. Turner,	462.30
Nov. 4.	To do pd. do do do do F. White,	100
	do do do do,	100
	do do do do,	300
" 5.	To do pd. the Delegates of the State,	1,000
Dec. 4.	To do advance C. Allen & to purchase of a Horse & Chair to convey money to the State,	380
	To do pd. Lt. Allen the bal. of his acct. of Expenses,	90.60
" 10.	To do pd. Jno. Ashe's draft in favor of J. Frageau,	410
	do do do do,	421
	do do do do,	500
	do do do do,	510
" 19.	To do pd. do do do Wm. Dry,	600
		423,855.31

1778.

	Amount Carried over,	423,815.31
Jany. 3.	To Cash pd. Jno. Ashe's draft in favor F. Brice,	275
	do do favor of do,	400
" 10.	To do pd. Honble J. Penn Delegate from the State,	276.45
Feby. 28.	To do pd. The Delegates of the State,	3,500
Mar. 5.	To do pd. Jno. Ashe's draft, 12th Sept. last, favor Wm. Dry,	500
	do do do favor J. Payneville,	150
	do do 1st Augt. favor J. Penn,	736
" 9.	To do pd. do do favor S. Smith,	125
	do do favor B. Stedman,	250
	do do do J. Williams,	250
" 16.	To do pd. do do do do F. Brice,	1,000
	do do do do,	1,500
" 18.	To a warrant on James Green Commisr. of the United States Loan Office in the said State,	30,000
" 24.	To Cash pd. Gov. Caswell's draft in favor of Wm. Skinner,	10,000
"	To do pd. J. Ashe's do in do H. Murfree,	500
" 30.	To do do do in do J. Green,	1,427.45
Apr. 3.	To do pd. the Hon. Thos. Burke a Delegate of the State,	1,500
" 16.	To do pd. J. Ashe's 4 drafts in favor of J. Payneville 125 each,	500
	To do pd. Honble Corn. Harnett a Delegate of the State,	1,166.60
May 12.	To do pd. Jno. Ashe's draft in favor F. Child,	200
" 29.	To do pd. Capt. Reading Blount to be conveyed by him for the use of the State,	100,000
" 30.	To Jacob Blount for a sum advanced him for which he accounted with the State agreeable to Certificate of the Chairman of the Committee of	

	Public Accts of the State,	41,000
	To Cash pd. Gov. Caswell's draft in favor R. & J. Ellis,	7,180.56
June 2.	To do pd. do do in favor Nich. Long,	30,325.62
" 9.	To do pd. Jno. Ashe's do do in favor E. Gamble,	250
" 22.	To do pd. do do in do P. Mallett,	750
	do do in do P. & D. Mallett,	1,250
July 14.	To do do do in do T. Craike,	799
	do do do B. Williams,	125
" 21.	To do pd. do do do Cosmo. Medici,	321
	do do do T. Craike,	250
	do do do T. Donoho,	500
	Dollars,	660,833.29
Augt. 13.	To do pd. the Honble Jno. Penn a Delegate of the State,	2,000
		662,833.29

PETITION OF THE INHABITANTS OF BURKE COUNTY.

To the Honorable the General Assembly of North Carolina

Mr. Speaker and Gentlemen of the House of Burgesses:

The petition of sundry of the Inhabitants of the Eastern part of Burke County Humbly Sheweth.

That your petitioners will labour under a very great disadvantage Should the Court be established at the enormous distance it is now placed from us; upwards of fifty miles from the lower part of the County, Experience having not yet taught us, that the Court house in any County hath been placed in the frontier part of the County, Convenient to the lesser number of scattering inhabitants; and so far remote from the main body of the People joining the County from which they were but lately separated, as what it is in this County, the particular situation of which we refer to General Rutherford, who is well acquainted with this County. Had the Commissioners who were first appointed placed the Court House, we would not have had such cause of complaint, as they were appointed by different, disinterested Persons, who seemed to

have the good of the whole County in view, by appointing three in each end of the County, and one in the centre, which gave an equal chance to all parts. But one of those Commissioners refusing to do this duty, prevented the rest, until he was sent a member to your house, where (by his own confession) he (through a Commissioner) had the appointing of two other Commissioners; one in the upper part of the County and one in Rowan, a Person whose Interested connection with the appointed give us reason to think the plan was Concerted previous to the appointment, which doth appear more evident from the following considerations, viz. The appointer on his way home from the Assembly did say, that he expected in a short time there would be a new County formed out of the lower part of Burke and the upper part of Rowan; the appointed, immediately after selling the Court House, took aside two of the lower Commissioners, and recommended to them to use their utmost influence and address to obtain together with the appointer, the representation of the County at the ensuing Election, which obtained, to present a petition to your Honorable House from the lower part of Burke and the neighboring part of Rowan; praying a new County taking a part of Burke and that part of Rowan in which he lived for that purpose, and as he had done us a considerable injury, in placing the Court House so inconvenient to us in order to remedy which he would assist us in the said Scheme, Concluding by saying that if the Business was well managed it would be completed by next fall, &c.

We your petitioners therefore, Sensible of your love for justice and equity, humbly pray your Honors, out of Compassion for the injured and depressed, you would make void what hath been done with respect to selling the Court House, and impower the first Commissioners to act agreeable to their first orders. Or that you appoint others in each extremity of the County for that purpose. We further pray your Honors may not appoint men living out of this County, who will not feel the inconveniency they may Cause.

And your Petitioners as in duty bound will ever pray &c.

Francis McCorkle,	James Martin,
John Lines,	Moses Sherrill,
Wm. Hamby,	Francis Cunningham,
Wm. Simpson,	David Douglas.

N. B. All those names wrote in one hand are the names of Dutchmen who could not write their name in English, therefore at their request their names were wrote in English for your better understanding.

NORTH CAROLINA, January 2, 1778.

NEWBERN, January 2, 1778.

Yesterday arrived here the Sloop Heart of Oak, Capt. Denison, from Martinico, Schooner Sam, Capt. Davis, from St. Eustatius, a Schooner from Bermuda with Salt, a French Schooner from Hispaniola, two Schooners from the Northern States, and a French Scow is arrived at the Bar from Cape Francois.

By Capt. Denison, we have an Account of the Arrival at Martinico of a large Fleet of Transports from France, having on board 6000 Troops, and convoyed by a 64 Gun Ship and 6 Frigates; also, by Capt. Cunningham, from Hispaniola, we have certain Advice of the Arrival there from France of a fleet of 50 sail, having on board 10,000 Troops, and convoyed by more than 20 Sail of Men of War, many of them Capital Ships. The work intended to be done with this Armament was kept a profound Secret, but the most probable was to seize the Island of Jamaica, as a Declaration of War against England was hourly expected in the French Islands.

Extract of a letter from a Gentleman in the Island of St. Christopher, to his friend in this State, dated Nov. 25. "The British Fleet for the Leeward Islands is just arrived here, and I have seen all the English Papers. They contain a great deal of News. A War with France is inevitable. Lord Stormont has left the Court of France, and the French Embassador has left the Court of London. The greatest scene of Hurry and Confusion in England with pressing Men and manning their Fleet. The Court of France has negotiated a Loan of 100 Millions of Livres with the States of Holland. The Spanish Flota has sailed from the Havannah with the richest Cargo ever known for Spain, which without any doubt will be employed to support the House of Bourbon against their haughty Neighbors the English in this most favorable Conjuncture, the continental Embassadors at the Court of France having received the greatest assurances that most of the powers of Europe will acknowledge the American Indepen-

dency. You may guess at my situation here, where the Americans, in all Companies, are execrated with the most bitter and envenomed Expressions, and where the Spirits of the People are kept up with the following News, which circulates here for Truth from the first tables in the Land down to the Barber's Shop, viz: That General Howe is in full and quiet possession of Philadelphia, having totally defeated General Washington. That General Burgoyne is in North Carolina, having conquered the several States as he passed thro', that Lord Dunmore is in possession of Boston, having beat down all their Forts, and that the Rebels were every where suing for Mercy. General Burgoyne's Defeat has been clearly proved here, notwithstanding which it gains no Credit; and so greatly has some secret and fatal Delusion pervaded the Councils of the British Nation, that they shut their Eyes against Truth, and Daylight, and sin against their Senses, as did the Jews of old Time, and seem to stand in need of a similar Calamity to make them act as reasonable Beings. Provisions excessive high here. Arrived at Martinico, Heart of Oak, Denison, Viper, Stowe, and Rachel Smith, from North Carolina. Taken Sloop—, Ballard, from South Key, belonging to Hampton, Sloop Corriers, from Charlestown, carried into St. Kitts."

Our Readers are desired to correct an Error of the Press which passed unnoticed in our last, where, in the Newbern Paragraph, the Judges were said to be appointed for this District, which should have been for this State.

North Carolina Gazette, January 2, 1778.

Newbern Jan 2.

The following Bills were passed at the General Assembly lately held at the Palace in Newbern.

An Act for establishing Offices for receiving Entries of Claims for lands in the several Counties within this State, for ascertaining methods of obtaining Titles to the same, and for other purposes therein mentioned.

An Act for establishing Courts of Law, and for regulating the Proceedings therein.

An Act for ascertaining the Oath of Allegiance and Abjuration.

An Act for levying a Tax for defraying the Contingencies of the several Counties in this State, and other Purposes.

An Act for establishing a Loan Office in this State.

An Act to prevent burning the woods.

An Act for laying a Tax to defray the Expence of the Public Buildings in the County of Burke, and other purposes therein mentioned.

An Act for dividing Edgecomb County, and other purposes therein mentioned.

An Act for directing the Method of appointing Jurors in all Causes civil and criminal.

An Act for amending an Act, intituled, An Act for levying a Tax by Assessment, and other Purposes, passed the last Session of this Assembly.

An Act to regulate the Pilotage of Cape Fear and Ocracock Bars, and the Rivers leading from the same to Brunswick, Wilmington, Newbern, Bath, and Edenton.

An Act for the better Regulation and Ease of the Militia in the lower End of Hyde County.

An Act to encourage the destroying Vermin in the several Counties in this State.

An Act to encourage the building of public Mills, and directing the Duty of Millers.

An Act to amend the staple of tobacco, and prevent frauds.

An Act to empower the Court of Admiralty of this State to have jurisdiction in all cases of capture of the ships and other vessels of the inhabitants and subjects of Great Britain, to establish a trial by jury in the said court in cases of capture.

An Act for appointing Sheriffs, and directing their Duty in office, and for obliging the late sheriffs and collectors of public monies who are in arrear to account for and pay the same, and other purposes.

An Act to amend an Act, for declaring what crimes and practices against the State shall be treason, and what shall be misprision of treason, and providing punishments adequate to crimes of both classes, and for preventing the dangers which may arise from persons disaffected to this State.

An Act for confiscating the property of all such persons as are inimical to the United States, and of such persons as shall not

within a certain time therein mentioned appear and submit to this State, whether they shall be received as citizens thereof, and of such persons as shall so appear and shall not be admitted as citizens, and for other purposes therein mentioned.

An Act for erecting Washington district into a county, by the name of Washington county.

An Act to amend an Act passed the last session of this assembly, intituled, An Act for establishing a new County between Hillsboro and the Virginia line, by erecting the northern part of Orange County into a distinct county, by the name of Caswell.

An Act to ratify an Act, intituled, An Act for the better regulation of the town of Newbern, and for securing the titles of persons who hold lots in the said town; also to ratify an Act, intituled, An Act for amending an Act, intituled, An Act for the better regulation of the town of Newbern, and for securing the titles of persons who hold lots in the said town.

An Act to regulate and ascertain the fees of clerks in the superior and county courts, justices of the peace, and attornies, in this state, and directing the method of paying the same.

An Act to empower the courts for the counties of Tryon and Guilford to lay a tax by assessment for finishing the court houses, prisons, and stocks, in the said counties; and also to empower the several counties in the district of Wilmington to levy taxes for building a district gaol and gaoler's house in the town of Wilmington, and other purposes.

An Act for directing the method of electing members of the General Assembly, and other purposes.

An Act for appointing naval officers in the different ports of this state, and directing their duty in office.

An Act for the regulation of the town of Edenton.

An Act for adding part of Brunswick County to Bladen, and part of Bladen to Brunswick.

An Act for making provision for the poor, and for other purposes.

An Act for erecting part of the county of Surry and part of the district of Washington into a separate and distinct county, by the name of Wilkes.

An Act for altering the name of John Gilliard to the name of John Isler.

An Act to prevent abuses in taking up stray horses, cattle, and sheep, and other things therein mentioned.

An Act to facilitate the navigation of port Currituck.

An Act for adding part of the county of Duplin to Johnston.

An Act to ratify and confirm an act, intituled, An Act for the regulation of the town of Wilmington; also to revive an act, intituled, An Act for the regulation of the town of Wilmington.

An Act for appointing Commissioners to lay off and mark a road from the court house in the county of Washington, through the mountains, into the county of Burke.

An Act for impowering Commissioners to build a prison and stocks in the county of Duplin, and other purposes therein mentioned.

An Act for levying a tax for the year of 1778.

An Act for building a Court house in the town of Salisbury, for the district of Salisbury.

An Act for erecting a prison in the town of Edenton, for the use of the district of Edenton.

An Act declaring what fences are sufficient, and providing a remedy for abuses.

An Act for establishing fairs in the town of Wilmington, in New Hanover County.

An Act to enforce such parts of the statute and common law as have been heretofore in use here, and the acts of assembly made and passed when this territory was under the government of the late proprietors and the Crown of Great Britain, and for reviving the several acts therein mentioned.

An Act to enable the Governor to send an aid from the militia to oppose the enemies of the United States, if the same should be required by Congress.

An Act to regulate the militia of this State.

An Act for the ease and convenience of the militia on the west side of Newport, in Carteret County.

An Act for securing lots in Elizabeth Town, in Bladen County.

An Act for establishing the salaries of the Justices of the Superior Courts, and of the Attorney General.

An Act for adding part of Anson County to Bladen.

North Carolina Gazette, January 23, 1778.

Trent, Jan. 5, 1778.

An Act to enable the Governor to send an aid from the militia to oppose the enemies of the United States, if the same shall be requested by Congress.

Whereas opposing the enemies of the United States by vigourous and powerful efforts, will greatly tend to bring the present war to a speedy and happy conclusion, and this State is at all times willing and desirous of assisting to the utmost of its power, in the common defence. Be it therefore enacted by the General Assembly of the State of North Carolina, and it is hereby enacted by the authority of the same, that it shall and may be lawful for the Governor or Commander in Chief, for the time being, upon the request of Congress, for that purpose made, to detach from the militia of this State, an aid not exceeding five thousand men, in manner following, that is to say, every regiment shall be required to furnish its proportion of the said aid according to the number it contains, and that the commanding officer of every regiment shall be, and he is hereby empowered, to offer a bounty of fifty dollars to every person who shall engage as a volunteer in the said service; and the deficiency, if any, shall be supplied by draughts agreeable to militia law; and every person draughted for the said service, shall be entitled to a bounty of twenty five dollars, and every such commanding Officer shall return as soon as may be, to the Governor or Commander in Chief for the time being, a roll of such persons as shall be detached from his regiment, distinguishing them into volunteers and draughted men, and every volunteer and draughted militia man shall be entitled to receive the bounty to them respectively given by this act as soon as they shall enter into the service or be draughted, and the Governor or Commander in Chief for the time being, is hereby authorized to draw on the treasury for such sums of money as may be necessary to defray the same. And be it enacted by the authority aforesaid, that the said aid shall march to such parts or places within the United States, as the Congress shall direct, and be and continue in service during the next campaign, not exceeding twelve months; and such aid shall be under the same rules and discipline, as the continental troops, after they shall have joined

the army which they may be ordered to reinforce, and shall receive the same pay allowed the militia in the State.

Provided always that for any offence, every officer and soldier of the said reinforcements, shall be tried by Courts martial composed of their own officers and none other.

And be it also enacted by the authority aforesaid, that the Governor may march to conduct and command the said militia if it shall be adjudged by him, with the advice of the Council of State, consistent with the safety of this State, and of use to the public service.

And be it also enacted by the authority aforesaid, that in case the Governor of this State for the time being, shall by the virtue of this act march without the limits of the State, he shall have the rank of a Major General of militia from the passing of this act, and shall draw pay from the day when by virtue of this act he shall pass the limits of this State during the time he shall be on such service, and he is hereby empowered to call as many officers into service as he shall think the service absolutely requires, having respect to the regiments to which such officers belong, and complying to the rules prescribed by the militia law; and make every provision for the march of such troops and transportation of horses, baggage, provision and forage, as may tend to expedite the progress of the army, and consist with as much economy as the nature of the operations will admit of.

Provided, that no person shall be subjected to be draughted for compleating the aid aforesaid, who has been already draughted and in actual service in any division, battalion, company or detachment, for more than two months at any one time since the commencement of the present war, and all others shall, if a draught be necessary, be subject to an equal draught.

And be it also enacted by the authority aforesaid, that in case the Governor shall not find it expedient to march with the said aid, he shall appoint the commanding officer thereof a Major General, and such Major General shall have the pay and other appointments to such rank belonging in the continental army.

CORN. HARNETT TO WM. WILKINSON.

York Town Pennsylvania, Jan. 6 1778.

Dear Sir:

I am to acknowledge the receipt of your favours of the 25 Nov. and 3 Dec. by Post. I wish I could make a little good news for you, for unless I do, you will not I fear have any thing very interesting for a month or two to come. However our Army have taken up their Winter Quarters at the Valley Forge about sixteen miles from the City, where they have built Huts. The General intends living in one himself. I send you all the papers I can come at. I may perhaps by next Post send you intelligence from the North, which will surprise all America.....I beg you will continue to send me all the news papers you can possibly collect, I believe you are afraid of making your packet too large .....Mr. Mclain writes me he had hopes of getting our River Fortified; but I have *dispared* of it long since; if the Assembly should agree to it, I shall believe that Miracles have not yet ceased. I promised to send you a Copy of the Confederation but Mr. Penn, some how or other (I believe by mistake) sent them all to our Assembly. I have been very desirous to hear what has become of Capt. Allen. I beg you will inform me; if he should be at C. Fear tell him he has used me ill in not writing me and I shall at a proper time call him to account. I hope his family are well. You always say you have no news; surely you can send me domestic intelligence which will be very agreeable. I have heard of a Distiller & have sent for him. I wish you would inform me what the Company would be willing to give by the year. Let me know the most you can afford, and I will agree for as much less as possible. Are your Vessels arrived or are they taken? Make my Compts. to Mr. Ancrum Mr. Quince & all my friends and acquaintances tell those two Gentlemen I shall answer their agreeable favours by next Post. As for friend Clayton he is indebted to me two letters. A Merry Christmas and happy New Year to you all.

I am Dr. Sir, your sincere friend & Obedt. Servt.

CORN HARNETT.

Wm. Wilkinson Esqr.

North Carolina Gazette of January 9, 1778.

Newbern, January 8.

Whereas the Congress of Delegates for the United States of America have recommended it to the different States of the Union, that loan offices should be established in each of them for the purpose of borrowing money to support the present war, and the General Assembly of the State of North Carolina, having established one in the town of Newbern, to receive all such monies as may be lent in this State, pursuant to the resolutions of said Congress; I hereby give notice that I am ready to receive into said office any sum or sums of money (not less than 200 dollars from any one individual) for the purpose above mentioned, on the receipt of which certificates will issue to the lenders for the amount, bearing an interest of fixed per cent.

JAMES GREEN, Jun., Treasurer.

North Carolina Gazette of January 9, 1778.

Newbern, January 9, 1778.

Since our last arrived here the Schooner Rachel, Captain Smith, from Martinico, by whom, and by several other vessels from thence, we have an account, that Capt. Ord, in the Retaliation privateer, belonging to one of the Northern States, has taken the Lord Howe privateer of 16 guns, and carried her into Martinico; also that Capt. Monro, in a privateer belonging to Rhode Island, had engaged, off Antigua, a large Jamaica ship of 20 guns, and would have taken her, but by some accident she blew up, and but three men were saved out of her whole complement.

North Carolina Gazette January 9, 1778.

Newbern January 9, 1778.

A French vessel lately arrived from Bordeaux with a great quantity of dry goods as hereunder. The Captain informs the public that he shall begin his sale the 22d of January at Mrs. Batchelor's store.

Corderoy, needles, cambric, buttons of different qualities, barracan, woolen caps, men's hose, cork serge, blankets, cotton of different colours, cloth, brandy, cloth of Amiens, Dutch ware, thread, twine, flannel, goblets, oil, printed calico, hankerchiefs, silk ditto, pipes, goat's hair, lead, linnen, striped ditto, canvas, glass, green tea and tibou, red wine in hogsheads, wine in bottles, cordials, taffia, molasses, salt, ball and bullets, flints, cannon, swivel, musquets, &c., &c.

North Carolina Gazette January 16, 1778.

In Congress November 4, 1777.

Resolved, That his Excellency Governor Caswell, of North Carolina, be requested to erect a monument of the value of five hundred dollars, at the expence of these United States, in honour of the memory of Brigadier General Francis Nash, who fell in the battle of Germantown on the 4th day of October 1777, bravely contending for the independence of his country.

North Carolina Gazette January 16, 1778.

State of North Carolina.

His Excellency Richard Caswell, Esq., Governor, Captain General and Commander in Chief of the said State.

A PROCLAMATION.

Whereas it hath been certified to me that the following persons have been appointed clerks of the superior courts of law within this State, to-wit: John Cook, Esq., for the District of Newbern; George Hooper, Esq., for the district of Wilmington; Henry Giffard, Esq., for the district of Salisbury; Joseph Taylor, Esq., for the district of Hillsborough; Eaton Haynes for the district of Halifax, and Charles Bonfield, Esq., for the district of Edenton, in consequence of which appointment, the said John Cook, George Hooper, Joseph Taylor, Eaton Haynes, Charles Bonfield and Henry Giffard, have appeared before me and qualified agreeable to law; I do therefore, in pursuance of the directions of the act of Assembly in such case provided, issue this proclamation notifying

the good people of this State the qualifications of the said John Cook, George Hooper, Henry Giffard, Joseph Taylor, Eaton Haynes, and Charles Bonfield, as clerks of the said Courts respectively: And I do hereby require all persons to pay obedience to all precepts issued by them in consequence of their respective appointments.

Given under my hand, and seal at arms, at Newbern, the fourteenth day of January, in the year of our Lord one thousand seven hundred and seventy-eight, and in the second year of the independence of the said State.

RICHARD CASWELL.

By His Excellency's Command.

James Glasgow, Sect'y.

North Carolina Gazette January 23, 1778.

Newbern, Jan. 23, 1778.

Monday last, the sloop Success, Capt. Tucker, from Bermuda bound in here, with salt, ran ashore on Cape Hatteras, received considerable damage, and the people were obliged to leave her. The Captain gives this notice, that if the vessel, or any part of her rigging, sails, or cargo, can be saved, he is willing to pay salvage for it. Apply to the Captain, or Mr. John W. Stanly, Merchant in Newbern.

A General Return of the Continental Army, under the Immediate Command of His Excellency General Washington. January 12th 1778.

[Copy.] [U. S. Pension Office. Vol. 100, p. 209.]

BRIGADES.	Officers Present.														Rank and File.							Alterations since last Return of Dec. 31, 1777.							
	Commission'd						Staff.						Non-Com'd.			Sick.										Joined			
	Colonels.	Lt. Colonels.	Majors.	Captains.	Lieutenants.	Ensigns.	Chaplains.	Adjutants.	Pay Masters.	Quarter Masters.	Surgeons.	Mates.	Sergeants.	Drummers and Fifers.	Present Fit for Duty.	Present.	Absent.	On Command.	On Furlough.	Unfit for Duty, wanting Shoes, &c.	Total.	Dead.	Discharged.	Deserted.	Sent to ye Invalid.	Sergeants.	Drums and Fifer.	Rank and File.	Inlisted.
*			*					*					*					*					*						*
*			*					*					*					*					*						*
North Carolina.	2	3	1	16	33	2	1	1	1	1	1	"	102	74	567	65	251	100	4	"	987	2	"	1	"	1	"	1	"
*			*					*					*					*					*						*

TIM. PICKERING, A. G.

A General Return of the Continental Army under the Command of his Excellency George Washington Esquire, at the Valley Forge, in Pennsylvania, Jan'y 19th 1778.

[Copy.] [U. S. Pension Office. Vol. 100, pp. 210-215.]

BRIGADES.	Officers Present. Commission'd: Colonels.	Lt. Colonels.	Majors.	Captains.	Lieutenants.	Ensigns.	Staff: Chaplains.	Adjutants.	Pay Masters.	Qr. Masters.	Surgeons.	Mates.	Non-Com'd.: Sergeants.	Drums and Fifers.	Rank and File: Present Fit for Duty.	Sick: Present.	Absent.	Wanting Shoes & Clothes.	On Command.	On Furlough.	Total.	Alterations since last Return: Dead.	Discharged.	Deserted.	Joined: Sergeants.	Drums & Fifes.	Rank and File.	
*				*							*							*							*			
*				*							*							*							*			
McIntosh (N. C.)	2	3	1	24	39	3	1	1	2	3	1	"	97	77	559	69	236		126	6	1170	1					3	
*				*							*							*							*			
*				*							*							*							*			
McIntosh (N. C.)	2	3	1	22	38	3	1	2	2	3	1	1	101	75	574	76	242		90	11	993	4	2		2		6	Extract from return of Jan. 24, 1778
*				*							*							*							*			
*				*							*							*							*			
McIntosh (N. C.)	2	2	1	14	24	3	1	3	3	3	1	1	72	66	314	97	226	249	91	15	992	8						Extract from return of Jan. 31, 1778
*				*							*							*							*			
*				*							*							*							*			
McIntosh (N. C.)	1	2	2	17	39	3	2	3	3	3	1	1	98	78	365	109	232	241	100	14	1061	5	2		7	3	52	Extract from return of Feb. 8, 1778
*				*							*							*							*			
*				*							*							*							*			
McIntosh (N. C.)	1	2	2	14	36	3	2	3	3	3	1	1	116	83	375	109	228	106	187	13	1018	11			1		3	Extract from return of Feb. 14, 1778

ALEX'D SCAMMELL, Adjt. Gen'l.

GOV. JOSIAH MARTIN TO LORD GEO. GERMAINE.

[B. P. R. O. America and West Ind: B. T. Vol. 313, P. 335., No. 10.]

New York, Janry. 23rd, 1778.

My Lord:

I have the honor to acquaint your Lordship that Mr. Cornell a member of the Council of No Carolina lately visited that Country under the sanction of a flag of truce and is returned hither having had the good fortune from a concurrence of circumstances to rescue not only his family but a considerable property out of the hands of the Rebels, a success far exceeding his expectation after the uncourteous and hostile reception he at first found among them.

This Gentleman reports, my Lord, that Mr. Alexander, Mr. Culloch and Mr. William Palmer had taken the Oath of Allegiance to the Rebel State which the other Members of the Council who remain there had to that time found means to elude.

From the intercourse Mr. Cornell had with some of the common people during his stay there he formed an opinion that they were heartily tired of their sufferings and that it would be found very difficult if not impossible to raise the contingent of men required by the Congress from that Province for the ensuing campaign. Reports from Virginia say that like difficulties will occur there from the same causes. The Leaders in Rebellion in Carolina Mr. Cornell informs me hold nevertheless a language of confidence with regard to the Establishment of their system of Independence but he says he thought he could discern at the same time that the greatest zealots among them were not without their doubts of it. On his arrival at New Bern he found the Rebels highly elated at the defeat of General Burgoyne's Army which exultation was succeeded by equal depression on the receipt of News of the Reduction of the rebel Forts on the Delewar by His Majesty's Forces.

The contemptible Port of Ocracock according to Mr. Cornell's information has become a great channel of supply to the Rebels while the more considerable Ports of the Continent have been watched by the King's Ships. They have received through it he says and continued to receive at that inlet when he was there so lately as the beginning of this month very considerable importa-

tions of the necessaries they most wanted for the purpose of carrying on their Warfare from the Ports of France and the French West India Islands. This, my Lord, was reported by him immediately on his arrival to Commodore Hotham the Naval Commander here who will no doubt take all proper measures for shutting up that Avenue of succour to the Rebels.

I have the honor to inclose to your Lordship a New York Gazette containing a plan of Confederation for the Colonies in Rebellion lately exhibited by the Congress and a copy of a Law of the Rebel State of North Carolina calculated for the confiscation of the Property of His Majesty's faithful subjects there, both brought hither by Mr. Cornell.

Many Refugees not less than one hundred and fifty, have arrived here from North Carolina since the month of August last being for the most part mercantile people and natives of Scotland, among them, Mr. John Hamilton and Mr. Macleod the former a merchant of considerable Note long settled there and the latter a Presbyterian clergyman of good character who have formed a very spirited and in my humble opinion a well concerted plan by drawing out of that Province for His Majesty's service the loyal Highlanders of whom they have two hundred and seventy odd men actually under the most solemn engagements to join them on a summons. These Gentlemen my Lord are gone to Philadelphia with my best recommendations to submit to the Commander in Chief their Plan which whether it be deemed practical or not discovers a very commendable zeal and spirit in the projectors.

The provincial Officers of North Carolina made Prisoners by the Rebels in that Country in the beginning of the year 1776, drop in here now and then by one's and two's as they find means to escape from captivity.

I have &c:

JO: MARTIN.

Inclosures.

1. New York Gazette.
2. Copy of a Rebel Act.

Rec'd 18 March.

North Carolina Gazette January 30, 1778.

Newbern, 30, 1778.

Extract of a Letter from the delegates of this State, at Yorktown, to his Excellency the Governor, dated Jan. 9. "A few days ago a large Brig was blown ashore five miles below Wilmington, and taken by General Smallwood. It proved a valuable prize, there being 7500 stand of arms, 1500 suits of clothes, baggage for the officers of four regiments, and a quantity of wine and spirits on board. Three other vessels are said to be drove ashore on the Jersey side, the inhabitants are taking proper care of their Cargoes."

North Carolina Gazette February 6, 1778.

Newbern, Jan. 30, 1778.

Advertisement.

The purchasers at the sale of the prize brig Hanover's cargo, who have not already paid, are requested to pay off their accounts to the subscriber. As the sales were for ready money, should any person fail discharging their accounts before the 20th February next, they cannot in justice find fault, should they be put into the hands of a lawyer.

RICHARD ELLIS,
Agent.

Captain Joneses Impeachment.

January 31st, 1778.

Agreeable to Regimental Orders A Court of Enquiry sat to Enquire into the Conduct of Capt. Daniel Jones of the 3rd North Carolina Battalion for Disobedience of Orders and Absenting himself without Leave.

CAPT. BALLARD
President.

Members
Lieut. Montfort
Lieut. McGibbony
Lieut. Gillespie
Ensign Pasteur

When having Enquired into the Conduct of Capt. Jones and from the best information we Can get it is the opinion of this Court that he is guilty of Disobedience of Orders & Absenting himself without Leave.

KEDAR BALLARD
President.

North Carolina Gazette February 6, 1778.

Newbern, Feb. 6, 1778.

By several of the officers of the troops of this State, just arrived from Head Quarters, we have an account that Canada has acceded to the union of the Confederate States of America, and that an express from Quebec had just arrived to Congress, with the important account, that they had seized on the President of the Council, Governor Carlton having left the Country, all the British troops and stores, and requested that they might be received as the fourteenth State, and that proper force might be sent to garrison the several towns in that country.

We have received a melancholy account from Charlestown, of the destruction of the greatest part of that opulent town by fire. No particular account as yet of that dreadful accident is come to hand, but it is supposed to have been perpetrated by some disaffected persons, and several are apprehended on suspicion.

CORNELIUS HARNETT WILLIAM WILKINSON ESQUIRE WILMINGTON NORTH CAROLINA.

By Post Free.

York Town Pennsylvania Feb 10 1778.

Dear Sir:

I wrote you about a fortnight or perhaps a week ago and have nothing new at present to Communicate. The Army still remain in winter Quarters at Valley Forge well Hutted; I hear their houses

or Huts are very warm and comfortable. I send you the last Paper containing the King's Speech &c. Jackey is not yet sent to me. The weather has been very bad, the Snow now very thick upon the Ground. As soon as this weather clears up, I expect to have him with me agreeable to Mr. Mitchel's promise.

What has been done about Fortifying Cape Fear River? I fear nothing at all. Mr. Hooper and McLain are unpardonable in not writing to me. I have been laid up with the Gout for a week past. I shall write you more at large in my next. I wish you would send on your Bills, not that I shall have occasion to use them, since our Assembly have made so generous an allowance to their Delegates. But remember that I warn you that Delays are Dangerous. I am Dr. Sir

Your real friend & Ob. Servt.
CORN. HARNETT.

I write Mr. Quince by this Post.

[From MS. Records in Office of Secretary of State.]

A Letter from Colo. Rochester.

Hillsborough, 17th Feby., 1778.

Sir:

Enclosed I have returned 13 blank Letters which are rendered useless by the late Act of Assembly directing the Clerks of County Courts to issue them. The Fees I paid on them amount to £6.18.8. for which you'll please to send me 7 Marriage Licenses and the bearer will pay you the balance.

Your Excellency's Obed Hum Servt.,
NATH. ROCHESTER.

North Carolina Gazette February 20, 1778.

Newbern Feb. 18.

Notice is hereby given to the free holders and freemen of the county of Craven, that an election will be held at the Court house in Newbern, on the 10th and 11th days of March next, for electing one senator, and two members of the house of commons, to

represent the said county in general assembly, and on the same days the freeholders and freemen, inhabitants of the town of Newbern, are hereby noticed to attend and elect one member to represent the said town.

J. BRYAN,
shff.

North Carolina Gazette February 20, 1778.

The printers in the State of North Carolina, are requested to publish in their Newspapers, the following advertisement. At a general court martial held at White Marsh, in the state of Pennsylvania, on the 2d Day of December 1777, by order of his Excellency Genl. Washington.

Capt. Vail of the second North Carolina battalion, charged with Cowardice, at the battle of Germantown, was tried, found guilty of that crime, and sentenced therefor to be cashiered; and to have his crime, name, place of abode, and punishment, published in the newspapers in and about the camp, and of that particular state from which he came; and that it should be deemed scandalous for any officer to associate with him.

This sentence was approved by his Excellency the Commander in Chief; and in pursuance thereof is transmitted to the printers for publication.

T. PICKERING, A. G.

TO THE FREEHOLDERS IN CRAVEN COUNTY.

North Carolina Gazette March 6, 1778.

Newbern, Feb. 21.

Gentlemen:

Public Business requires my attendance at Fredericksburg, in Virginia, at the time of our annual election; I therefore take this method to apologize for my absence, return you thanks for your former confidence, and again offer myself for a candidate to represent you in the next General Assembly.

JAMES COOR.

North Carolina Gazette, March 6, 1778.

Newbern Feb. 24.

The subscriber has for sale a quantity of medicines which are just imported, among which are the following articles, viz. Rheubarb, Jesuits' bark, glauber and epsom salts, tartar emetic, jallap, ipecacuanna, camphor, mercurius dulcis, corrosive sublimate, cantharides, sal nitre, sulphur, cream of tartar, crude salammoniac, myrrh, cinnamon, cloves, mace, &c.

WILLIAM PASTEUR.

COPY OF A TESTIMONIAL RELATIVE TO COLIN CLARK & JAMES BLAKE.

[From MS. Records in Office of Secretary of State.]

State of North Carolina March 1st 1778.

Richard Caswell Esquire, Governor and Commander in Chief of the said State.

To All Whom it May Concern:

These are to certify that John Johnson Esquire who hath attested the Certificates hereunto Annexed was at the Time thereof and now is Clerk of Bertie County Court in the State aforesaid; and that full faith & Credit is and ought to be given to such his attestations in Judgment Court and thereout. I further Certify that Colin Clark and James Blake, the persons whose Names are mentioned in the said Annexed Certificates, in Consequence of the orders of Bertie County Court aforesaid, Have permission to depart this State in the schooner Nancy with their property (provisions and Naval Stores Excepted) which Schooner is shortly to Sail to Port Roanoke bound to some Port of Europe or the West Indies.

In Testimony whereof I have hereunto set my Hand and Caused the Seal now used for the said State to be affixed at Newington the 2nd day of March Anno. Dom. 1778.

R. CASWELL.

CORN HARNETT TO WILLIAM WILKINSON ESQ.

York Town March 3 1778.

Dear Sir:

Your several favours of the 7, 14 and 26 January and 4 Ultimo are now before me. I have lately had one of the severest fits of the Gout I ever had in my life. I have been confined to my room these 5 weeks unable to help myself, having it in both feet, one knee and my right hand and arm. It is with great pain that I am able to hold a pen in my hand this day. I am sorry to hear Meredith is taken; I wish the fact could be ascertained in regard to his being put in irons, &c. Jackey is not yet with me; Mr. Mitchel promises to send him as soon as the weather will permit. I think I shall bring him home with me, as we are likely to have warm work the next Campaign. You may for the present send him to Mecklenburg School. In yours of the 26th Jan. I received Col. Kennon's Bills on the Continental Treasury Viz. No. 25-Bill for 1000; No. 26 for 1000; No. 33 for 500; No. 34 for 500; No. 35 for 500, amounting in the whole to 3,500 Dollars. I shall present them for payment as soon as I am able to Attend the Treasury board, which I hope will be in a very few days. I am sorry indeed for the great loss sustained by the Inhabitants of Charles Town; it was a dreadful fire.

I shall write MacLain a few lines by this Post and shall write my friend Hooper very fully by the next. Our Army remains as before at Valley Forge. Unless the several States exert themselves to compleat their Battalions Our Continental Army will cut a poor figure in the Spring. We have not even heard of a Schyrmish lately. I hope to see you in April and am

Dr Sir Your afft. & obedt. Servt.

CORN: HARNETT.

In the midst of my Distress, my man Sawney ran away from me. I have with much ado hired a little Dutch Boy to make a fire for me. A Servant is not to be had here; I beg you will hire Heron's Josh to come to me or some other free man. I don't know whether I shall ever get Sawney again. It is said he intended to go to Philadelphia. He turned out to be one of the greatest Villains Living. If I was to tell you some parts of his behaviour

it would amaze you. You may purchase a horse for Josh if he'll come, and I can perhaps sell the horse here for as much as he cost.

Yours &c.
C. H.

STATE OF NORTH CAROLINA: BRUNSWICK COUNTY. March 5th., 1778.

At a Court held for the tryal of a negro man slave for the murder of Henry Williams, said fellow being the property of Mrs. Sarah Dupree.

Justices of the Peace present
William Paine
John Bell
Thomas Sessions

Free holders:
John Stanton
James Ludlow
Needham Gause
Aaron Roberts

According to law valued said negro James at eighty pounds Procklamation Money.

The court proceeded on said tryal and the said fellow James confessed himself to be One that had a hand in the murdering of said Henry Williams in concurrence with the evidence of four other mallefactors that were executed for Being Concerned in said murder on the 18th. day of March 1777.

Ordered that the Sheriff take the said Jimmy from hence to the Place of execution where he shall be tyed to a stake and Burnt Alive. Given under my hands this 5th. day of March 1778.

Justices of the Peace:
William Gause
John Bell
Thos. Sessions

Freeholders:
Aaron Roberts
John Stanton
Needham Gause
Jas. + Ludlow
(his mark)

STATE OF NO. CAROLINA,
BRUNSWICK COUNTY.

We, the undernamed persons being summoned as Justices of the Peace and freeholders of the County aforesaid to hold a court for the Tryal of a negro man slave named James the property of Mrs.

Sarah Dupree for the murder of Mr. Henry Williams of Lockwood Folly do value the said slave James at the sum of Eighty pounds Procklamation Money. Given under my hands this 5th. day of March 1778.

Justices of the Peace:
William Gause
John Bell
Thos. Sessions

Freeholders:
Aaron Roberts
John Stanton
Needham Gause
his
Jas. + Ludlow
mark

Monthly Return of the Troops under the more immediate Command of his Excellency George Washington, Esqr., General and Commander in chief of the armies of the independent States of America.

[Copy. U. S. Pension Office, Vol. 101, p. 2.]

BRIGADES.	Camp Valley Forge, Feb'y 29th 1778.	McIntosh's (N. C.)						
Officers Present.								
Field.	Colonels.	*	*	*	*	*	*	*
	Lieut. Colonels.	*	*	*	*	*	*	*
	Majors.	*	*	*	*	*	*	*
Commissioned	Captains.	*	*	*	*	*	*	*
	Lieutenants.	*	*	*	*	*	*	*
	Ensigns.	*	*	*	*	*	*	*
Staff.	Chaplains.	*	*	*	*	*	*	*
	Adjutants.	*	*	*	*	*	*	*
	Pay Masters.	*	*	*	*	*	*	*
	Qr. Masters.	*	*	*	*	*	*	*
	Surgeons.	*	*	*	*	*	*	*
	Mate.	*	*	*	*	*	*	*
Non-Com'd.	Sergeants.	*	*	*	*	*	*	*
	Drums & Fifes.	*	*	*	*	*	*	*
Rank and File.								
	Present Fit for Duty.	*	*	*	*	*	*	*
Sick.	Present.	*	*	*	*	*	*	*
	Absent.	*	*	*	*	*	*	*
	Unfit for Duty for want of Clothes.	*	*	*	*	*	*	*
	On Command.	*	*	*	*	*	*	*
	On Furlough.	*	*	*	*	*	*	*
	Total.	*	*	*	*	*	*	*
Alterations since last Return.								
	Dead.	*	*	*	*	*	*	*
	Discharged.	*	*	*	*	*	*	*
	Deserted.	*	*	*	*	*	*	*
	Transferred to the Invalids.	*	*	*	*	*	*	*
Joined	Sergts.	*	*	*	*	*	*	*
	D. & Fifers.	*	*	*	*	*	*	*
	R. & File.	*	*	*	*	*	*	*

		2	3	2				
					19	24	2	
		2	3	3	3	1	1	
		115	77					
		490	178	210	30	100	16	1024
		24	3	"	"	10	4	62

ALEXANDER SCAMMELL, Adjt. Genl.

North Carolina Gazette March 6, 1778.

Advertisements.

Just arrived in Cape Lookout Bay, from France, the Frigate Ferdinand, mounting 36 guns, with 200 men, Monsieur de Gateneau, one of the king's officers, commander, who has imported the following goods, which will be sold at the town of Beaufort, Carteret County, on the 12 day of March next, viz. Nails of all sizes, blankets of all qualities, woolen cloths of all sorts, woollen, thread, and silk stockings, woollen and thread night caps, woollen and cotton cards, sweet oil, window glass, wine glasses, sewing thread and silk, twine, paper, green tea best quality, nankins, mercery ware, medicines of several kinds, linen, sail cloth, black pepper, loaf sugar, fine and common salt in Hogsheads and bags, silk and thread handkerchiefs, hats, Burgundy, Madeira, and Bordeaux wine, Cognac brandy, shoes, rum, leather, ropes and cables, shirts, and sheets for hospitals, umbrellas, calicos, coffee, millinery ware, pins and needles, buttons for uniforms, cordials, harpsicord and violin strings, gold watches, silk gown patterns, cambrick, copperas, hardware, plumes for ladies and officers, paintings of all colours, gold and silver shoulder straps for officers, &c. &c.

HON. THOS. BURKE TO GOV. CASWELL.

[From MS. Records in Office of Secretary of State.]

York, Pennsylvania March 12th, 1778.

D. Sir:

I had the honour of addressing you some short time before my departure from home, which was not so early as I Expected when I took leave of you in New Bern, owing to unavoidable delays which I assure you Sir I surmounted as soon as it was in my Power. The intolerable bad roads kept me three weeks nearly on my journey and I find on my arrival here things by no means in such forwardness as I wish. The army is at present much in the same situation that it has been all the Winter; a Committee of Congress is at Camp in order to inquire into and regulate the abuses and Insufficiencies therein. The Congress are much alarmed

an account of the scarcity of Flesh provisions, and many splendid projects we contemplated, but I fancy nothing will do unless the possessors af that Commodity can see prospects of gratifying their avarice. This vile principle if anything can, will mar our cause, for though America abounds with provisions we cannot get sufficient for a few thousand men without expending Millions in the purchase of it. The Congress have yet resolved on nothing relative to our Militia; indeedI cannot find that they have any Idea of a plan of Operations or System of Warfare for the next Campaign, and are not able to determine whether they will want them or not. I am myself of Opinion that our army will neither take the field early enough or be of Competent Strength when it is collected, and I fear we shall be able to undertake nothing against the enemy, but must act still on the Defensive, and prolong the war. This is far from being agreeable to my Ideas of good policy—but without force sufficient for an Offensive war, it is all that can be done. Virginia is the only State who has wholly yet agreed to ratify the Confederation. The 24th of this month is assigned for passing upon it again; by that time I suppose all of the States will be Instructed. Maryland and Connecticut have produced theirs. The former desires the western boundaries of the States claiming to the Mississippi or South Seas to be Ascertained by Congress, and that all of the Country west of the Frontiers not granted to Individuals should be common stock.

The latter desires that no standing Army be kept up in time of peace by the United States, or Pensioners supported by them, except persons disabled in War, that the quota of the public Expense be in proportion to the Number of People in each State. I shall Endeavour to procure Copies of the several Instructions, and transmit them to you, but I suppose the next Assembly will not take it up. They will deem it prudent to know the sense of every other State before they finally determine. I refer you to Mr. Penn for Intelligence.

I believe I was mistaken in supposing the tenth of May the time of our Election; Mr. Penn informs me it was the 28th of April. If this be so I shall return sooner than I expected, for having no powers beyond the day, and hoping the assembly will not require me to serve here any longer, my stay would be useless. I hope the Assembly will take this into early Considera-

ture. If I shall observe any thing of Importance before Mr. Penn's Departure (who only waits for good weather, and the roads being a little settled) I will add it. I have the honor to be, with the greatest Esteem and respect,

Your Excellency's Obed. Servt.,
THOS. BURKE.

North Carolina Gazette March 13, 1778.

Newbern March 13.

Several vessels are just arrived here from Burmuda with salt, which 'tis hoped will bring down the extravagant price of that article. By these vessels we have an account of the loss of the Lord Amherst Indiaman, from Jamaica to London, very richly laden. She struck on the rocks of Bermuda and went to pieces by which accident a number of American prisoners who were on board, going to England, were happily released, as they got safe on shore.

Halifax March 14.

Ten Dollars Reward.

Deserted from me the 12th Instant on their march for Halifax, two soldiers belonging to the 5th battalion of this State, William Watson and Charles Peters, Watson has deserted five times; he has also cost the public twenty odd pounds for taking him up, and jail fees: he is about five feet ten inches high, dark complexion, black hair, lives on or near Bay river, below Newbern. Peters is an East India Indian, formerly the property of Mr. Tomlinson in Newbern. Whoever delivers one or both of the above deserters to me at Bath or to any continental officer, taking their receipt for the same, shall have the above reward.

BEN. STEADMAN.

March 16th, 1778.

The Court orders the Clerk to Issue Summons to the Sheriff to Summons Several Persons in Capt. Lebins Hunter's Company as pr. List Returned by the Clerk of that Company to appear at Court next to show cause why they did not take the oath to the State, as they Refused to take the same according to a former order.

[From MS. Records in Office of Secretary of State.]

John Alderson To His Excellency Richard Caswell Esqr., Governor and Commander in and over the State of No. Carolina.

Bath Town Beaufort County, March 17th 1778.

The humble address of John Alderson to His Excellency Richard Caswell Esqr., Governor and commander in chief in and over the State of No. Carolina humbly Sheweth:

That he was on the 7th of March last permitted to return to this State, after giving his word and Honor, to be Inactive, until exchanged, or until a general exchange should take place, that he humbly prayeth his Excellency, to take into consideration the disadvantage under which he, the Petitioner, now laboureth under in being Deprived of sharing the honors which we promise ourselves this campaign and hopes his Excellency will forward an exchange as there are prisoners of equal Rank with me in this State who would be glad as my self to be exchanged.

Mr. John Green will inform his Excellency of my Rank.

CORN HARNETT TO WILLIAM WILKERSON.

York Town, March 18th, 1778.

Dear Sir:

Since my last we have received no interesting intelligence from the Army. They remain still in quiet possession of Valley Forge Camp. I am apprehensive my Servant has attempted to go to Philadelphia & perhaps is got there. I can, however, hear nothing of him, altho' I have distributed advertisements all over the Country, & have employed some of our Light Horse to go in pursuit of him, but to no purpose. I expect to set off the middle of April, & I fear without a servant to attend me, as not one is to be had here as yet on any Terms. Jackey is not yet come to me. Mr. Mitchell promised by letter to send him as soon as the weather would permit; indeed we have had no weather fit for any person to travel in for two months. I have again written very pressingly to Mr. Mitchell for the child & expect every day his answer. He lives now at a place called Potsgrove, somewhere down to-

war is Philadelphia. It is hoped Genl. Washington will be able to Open the Campaign with some vigorous exertions. Burgoyne's Army is stopped, you will see the particulars in the enclosed newspapers: I was not at liberty to Communicate this intelligence sooner. I shall bring your nephew home with me, as I do not think it prudent to leave him at present in this Country; indeed the schools in general are broke up—perhaps he may be sent to Mecklinburg, to be of advantage to him. If Mrs. Harnett will consent I will send Nelly with him, but this we can conclude upon after my return. Your Bills I fear will not be paid. I wish you had not been Concerned with them. I ever Cautioned you against having any connection with that man Kennon, but to no purpose; but it was unpardonable to have no other Indorser than his Clerk. The business of Congress was taken up the whole day on Kennon's Bills on Saturday last, and from the Complexion of the House I am well satisfied they will not be paid. I shall bring it on again, & if they are not paid, I shall have them regularly protested, which is, I fear, all that can be done at present, & will send them on by Post, to give you an opportunity of endeavouring to procure payment from his Executor or Administrator. Upon my word you have acted exceedingly imprudent, to say no worse of it. You will be obliged to Commence a Suit, & throw good money after bad. I think I foresee what will happen on this wild goose transaction. It is surprising to me that you could not take the Currency of your own Country for what you sold, rather than take Bills drawn by a man whose estate was universally believed Insolvent, and only Indorsed by his Clerk. You will give me leave to tell you, that such a transaction cannot be reconciled to Common Sense. You have only lost 3500 Dollars by this *prudent* Step. Show this *paragraph to Mrs. Harnett if you dare.* I am, Sir,

Your sincere friend & obedt. Servt.,

CORN HARNETT.

William Wilkinson Esqr.

P. S. Since writing the foregoing, I have been favoured with yours of the 12 Feb. which I shall answer by next return Post.

[From MS. Records in Office of Secretary of State.]

State of No. Carolina Bertie County March 18th 1778.

In Obedience to a Resolve of the Hon. the General Assembly the day last We the Commissioners appointed to Examine into the state of the Publick manufactory of Guns in Halifax District Carried on by James Ransom Esqr. One of the Commissioners appointed to superintend the same and make report thereof do report that it appears to your Commissioners on the Examination of said Ransom's accounts & vouchers by him produced that he the said Ransom has expended the Sum of Seven Hundred and fifty Six Pounds & 10 d. in Purchasing Iron steel Gunlocks & transporting the Same, also in Wireing, Blacksmith's Rent & Smith's tools, Purchasing & Providing Necessary Utensils for carrying on said factory and Boarding the several workmen Employed therein. It also appears to your Commissioners that the said Ransom has now on Hand ready to be delivered thirty-six Guns fit for service, Eleven Gun barrels ready for storing, fifty-two Do. forged & floated, fifty gunlocks, Sixty-three Butts, fifty-seven guards, fifty-three fashion Plates, Sixty-five Sets thimbles, fifty-Six Ramrods forged out & twenty-four bayonets forged, also sundry foils, Rasps & Saws & 306 ℔s Iron and further appears to your Commissioners that the said Ransom Has Received of Sam. Johnson Esqr., Treasurer, the Sum of One thousand Pounds and has Sold 1293 ℔s of the Publick Iron @ 8d. and 24 ℔s. Steel @ 2s., the whole Amount of the money Rec'd being One thousand & forty five Pounds, and that there still remains in the Hands of the said Ransom the sum of two Hundred & Eighty Nine Pounds & ten shillings & 2d. which is due the Publick, all which is submitted.

BENJ. TEAWELLY,
DAN. SLEDGE.

[From MS. Records in Office of Secretary of State.]

Consideration The Hon. Gen. Assembly of the State of North Carolina, Newbern.
Report Comms. Gun Manufac.—Halifax District.
Comm: Mr. Ramsay, Mr. L. Sumner, Mr. Tompson.

Bute, 18th March, 1778.

Sir:

We your Comm. appointed to Examine into the State of the Publick manufactory of guns in the district of Halifax & carried on by James Ransom Esqr. have Proceeded to Examine the same. The report you will Herewith receive enclosed. We are Gent.

Yr. very Hble Servts.,
BENJ. TEAWELLY,
DAN. SLEDGE.

[From MS. Records in Office of Secretary of State.]

Presdt. of Congress On public Service Henry Laurens to His Excellency Richard Caswell Esquire Governor of North Carolina &c. &c. at New Bern.

York Town, 19 March, 1778.

Sir:

I beg leave to refer Your Excellency to my last Letter under the 14th Inst. which I sent under the protection of General Scott.

The present Cover will convey to Your Excellency an Act of Congress of the 16th for obtaining from each State in the Union proper information of the determination in each respecting the Acts & Recommendations of Congress transmitted & to be transmitted from & after the 1st November 1777. I have the honour to be, Sir, with Esteem & Respect,

Your Excellency's Obedient & humble Servant,
HENRY LAURENS.

CORN HARNETT ESQR TO GOV. CASWELL.

[From MS. Records in Office of Secretary of State.]

York Town, 20th March 1778.

Dear Sir:

I have been laid up with the Gout which has prevented my writing to your Excellency for some time past, having had it in my right hand. Nothing has as yet been Determined on in Congress relative to calling out the Militia of No. Carolina. The Army remains still at Valley Forge, & we have been for some time alarmed with the Great Scarcity of flesh to feed them. My friend Burke thinks this an Artificial Scarcity. In this, we differ much in opinion, as I am convinced the want is real, as we have not been able as yet, to lay up any Magazines of Provisions, & have had only sufficient to supply the immediate wants of the Army; I am firmly of Opinion if we fail at all in the Vigour of our Operations, it will be owing to this circumstance; & by that means I fear the war may be prolonged, and our Army reduced to the necessity of carrying on a defensive war only. I hope I may be mistaken, many Gentlemen think I am. The Provisions not coming on as fast as we wish, may perhaps be owing to the badness of the weather, which has rendered the roads almost impassable. How my collegue (Penn) will get on, I know not. He is the bearer of this & I beg leave to refer you to him for further information in regard to Congress Matters. General Washington has it much at heart to Open the Campaign with Virginia before the Enemy can possibly receive reinforcements.

Our Committee are not yet arrived from Camp, but are daily expected. It is expected they will, on their arrival, Open a New field for Congress.

I intend to set off on my return home some time towards the Middle of April. I shall then have been ten months from my family, and as our Assembly pay their Delegates so very Liberally, I have neither expectation or wish to return again, as I am convinced there will be many Candidates for the Honorable imployment; I am not one, tho' I shall think it my Duty to serve my Country to the best of my poor abilities, either with or without pay.

I suppose the Gen. Assembly will be adjourned before my return. I am sorry they had not Continued their Present Delegates until they were relieved by Others. This might have prevented our State from being unrepresented in Congress for two or three months at least, which must be the case as matters now stand.

Virginia has empowered her Delegates to ratify the Confederation. The Members from Massachusets have also private Letters informing them that their State has also done it; I do not hear of any other States doing it as yet. Connecticut wish the Quota to be fixed by the number of people in each State; every Other Objection of theirs has little weight.

Every Member of Congress seems to wish for a Confederacy except my good friend Burke, who laughs at it as a Chimerical Project; it does not strike me in that point of view. I think that unless the States Confederate A door will be left open for Continental Contention & Blood shed, and *that* very soon after we are at peace with Europe. I heartily wish I may be Mistaken. I have the honor to be with the greatest respect

Your Excellency's Most obed. & very hum. Servt.

CORN. HARNETT.

P. S. Upon enquiry I find the Delegates from the several States have power to ratify the Confederation, but are to endeavor to get some Alterations made if possible. Mr. Penn will give Your Excellency further information on this subject. The Gen. Assembly of N. York have agreed unanimously & have by Commission empowered their Delegates. As I have been informed some aspersions have been thrown out to the Prejudice of Mr. Penn, I must in justice to that Gentleman's Character assure your Excellency that his Conduct as a Delegate and a Gentleman has been worthy & disinterested.

Your Honb. &c. &c. &c.

C. HARNETT.

MR. W. SAVAGE TO HIS EXCELLENCY GOV. CASWELL.

[From MS. Records in Office of Secretary of State.]

New Bern 22 March 1778.

Sir:

The Letters inclosed in this Came inclosed to me by an express from Edenton on Monday night; no opportunity offered to forward them before this.

I should be glad to know to whom I am to apply for payment of the Goods. Should wish the payment in Tobacco if to be Got here Immediately.

I remain with the greatest Respect

Your Excellency's most obodient humble Servant

W. SAVAGE.

MR. JOHN DUNBIBIN TO HIS EXCELLENCY RICHARD CASWELL ESQR. AT NEWINGTON.

[From MS. Records in Office of Secretary of State.]

Wilmington March 23rd 1778.

His Excellency Richard Caswell Esqr.

Sir:

I have been petitioned by two women i. e., Mrs. Greaves & Mrs. McKensie, living in this Town to write to your Excellency to grant them permission to go out in the Flag of Truce now lying in this Harbour, one of them vis, Mrs. Greaves has a husband on board the said Vessel and has two Children, at this time I see no prospect of her maintaining herself & Children, and am apprehensive she may become a burden to the Parish should she be detained. The other is a Widow who has one Child, and possibly may likewise become a charge to the publick, she has friends in Scotland and has been frequently solicited to go home but never had a favorable opportunity. A Line from you as soon as convenient would oblige those poor women, as the Flag will sail shortly. I am with Respect Sir,

Your most obed Servt.

JOHN DUNBIBIN.

GOV. CASWELL TO COLO. NAT ROCHESTER.

[From MS. Records in Office of Secretary of State.]

New Bern, 23rd March 1778.

Sir:

Your Letter of the 17th Feb. I rec'd with 13 Blank Letters and agreeable to your request I send you seven Lycences in lieu of them or rather the fees you paid on them. I am Sir

Your obed Servt.

R. CASWELL.

COLO. FINNIE TO COLO. LONG.

[From MS. Records in Office of Secretary of State.]

Wmburg March 26th 1778.

Dr. Sir:

I have this moment received the Governor's directions to write you by Colo. Lamb, requesting you will send to this place all the Lead your State can spare, to be forwarded from hence to his Excellency Gen. Washington with the utmost expedition. Let the Lead belonging to the Continent be sent on first.

As the Salvation of our Army depends on an immediate supply of this article, the Govr. begs you will spare no pains in the Execution of this business. The Campaign will certainly open in a short time. I am Dr. Sir,

Your most obed Servt.

WILLIAM FINNIE D. Q. M. C.

Col. Nicholas Long D. Q. M. C.

North Carolina Gazette March 27, 1778.

Beaufort March 5.

Notice is hereby given that the commander of the ship Ferdinand promises a reward of twenty-five dollars to any person or persons who will take up any French sailor or sailors that may run away twelve miles from said ship, and deliver them to the commanding officer at Beaufort, who will likewise pay the necessary expence.

D. COTTINEAU.

ADDRESS FROM ROWAN MILITIA OFFICERS FOR CONSIDERATION.

To Messrs. The Speakers and Members of the General Assembly in the State of North Carolina sitting at Newbern April 1778.

The address of the Militia Officers of the County of Rowan.

Gentlemen:

With hearts deeply impressed with the sense of the importance of pursuing the most effectual measures for the safety and happiness of this as well as that of the other United States, permit us to address you on the subject of the Regular service for our mutual defence.

We cannot omit expressing our approbation of the respectable footing on which you have placed the Militia of this State by two late acts of Assembly in order that they may be ready in case of an invasion or any sudden Alarm; but from our own experience we can assure you that from the frequent calling forth the industrious yeomenry of this country into the field many great inconveniences arise, one of which only we shall mention which is the hindrance of Tillage and consequently a scarcity of provisions, which in our humble opinion we may have more reason to dread than any reinforcements that may be sent to Genl. Howe, and according to our conception of service in the field Regulars are greatly preferable to Militia for many reasons that will readily occur to you.

We on our part (and are persuaded that of our neighboring Counties) would willingly submit to any Tax that could be rea-

sonably laid on us together with the other parts of the State in order to augment our Continental Army or be subject to any other provision for that purpose that is in the power of this State to make.

We further humbly conceive that some early measures ought to be passed in order to preserve or provide Lands for those officers and soldiers of this State who are abroad in the regular service, and to whom we are under such obligation. And that no unfavorable construction may be put on this address we can with great sincerity assure you that whenever the exigencies of this country may require it, none will be more ready to step forth for the common defence than, gentlemen,

Your most obedient and most humble Servants

Francis Locke, Colo.,	Alex. Dobbin,
Jas. Smith,	David Caldwell,
Joseph Dickson,	Moses Dinsley,
John Polk,	George Harvey Beryer,
Israel Cox,	Jas. Craige,
William Willson,	Eb. Jackson,
William Armstrong,	Hugh Hall,
Patrick Morrison,	Walter Sharp,
Galbraith Falls,	David Smith,
Charles Dunn,	William Bell,
James Purviance.	

EXTRACT FROM

Monthly Return of the Continental Forces under the more immediate command of his Excellency George Washington, Esqr., Gen'l and Commander in Chief of the Armies of the Independent States of America.

[COPY. U. S. PENSION BUREAU, VOL. 101, p. 6.]

| Camp Valley Forge, March 30, 1778. | | |

CORN. HARNETT TO COLO. JETHRO SUMNER OF THE NORTH CAROLINA BRIGADE.

York Town 1st April 1778.

Dear Sir:

I received your favour of the 19th & 27 & do not recollect to have done myself the Pleasure to answer either of them. My great Indisposition must plead my excuse; I received from Colo. Clark the dates of the Colo's Commissions now in Camp belonging to the North Carolina Brigade. You or he is mistaken in a day; you say the 15th he the 16th Apr. 1776. This will be easily rectified by having recourse to the Commis. Mr. Penn & myself while he was here moved Congress several times to have the Brigadiers recommended by our General Assembly immediately commissioned; but as there are several other Colonels, in other Brigades, who are also to be appointed, Congress have postponed the matter until the Gents are fixed upon, in order that they may rank agreeable to the dates of their Commissions as Colonels.

This measure must very soon take place, & hope to have it in my power to congratulate you & Col. Clark on your appointment. Mr. Burke says he will not Stir in it.

I would advise you on receiving the Commission, to get leave of Absence for a few Months to return to the Southward which I hope will effectually restore your health, & enable you to return to the Army in the most Vigourous part of the Campaign. I shall set out from hence about the 15, or between that & the 20 Instant, at furthest, & shall be very happy to travel with you if Convenient. I am with great esteem, Dr. Sir,

Your most obedt Servt.

CORN HARNETT.

Col. Sumner.

COL. WM. WILLIAMS ENCLOSING RESIGNATION TO HIS EXCELLENCY RICHARD CASWELL ESQR. GOV. &C.

[From MS. Records in Office of Secretary of State.]

A Letter from Col Wm. Williams & resignation, to His Excellency Richard Caswell Esqr. Gov. &c.

New Bern April 2nd 1778.

May it please your Excellency.

Sir:

I am at present first Colo. of the County of Martin, but owing to my infirmities, I am not able to act so as to render any Service in that way. I therefore desire to resign my Commission & do by this my Letter Resign, & hope your Excellency will make out Commissions to the following persons (to wit): Mr. Whitmell Hill, first Colo.; Mr. Thomas Wiggins, Second Colo.; Mr. Kenneth McKenzie, first Major; Mr. John Hardison, Second Major.

I am yr. Excellency's most Obed hum Servt.

WM WILLIAMS.

[From MS. Records in Office of Secretary of State.]

Papers & Acct. McRee & Brown &c &c.

Being informed that Mr. Peter Mallett claims the Molasses soald by order of Synod, I think it my Duty to inform the public what I know concerning it. In a little time after I had stored the Goods taken out of the Cross Creek Boats, Mr. P. Mallett wrote to me desiring I would be so good as to let his brother have the liberty to mark some of his Effects that was unmarked. I gave him the Keys of three stores where the goods was. I think the second day I went to Town and was informed that Dan Mallett, in Overhauling some heavy Hogshead, had stove a hogshead of Molasses of which near half was lost. I asked him in regard to it; he said it was so. I asked him whether or no it was his brother's, he said he believed not. I informed him that if it was not he should make it good to the Owners, to which he assented. In about two Weeks after, a certain Mr. Cruden &

Dan Sutherland got an order from Colo. James Moor to me, to deliver them Some Effects they Claimed. I went & delivered them what they Claimed. In rolling out some casks of Molasses there was one marked PM., Peter Mallett's mark, which Sutherland Claimed as his. I told him I knew not who was the right owner. If he took it he should give me a Receipt to be Accountable to the owner if Claimed by any one else, as the receipt will appear. When Dan Mallett was marking the above Goods he marked 20 or 30 barrels of flour with P. M., his brother's mark, & Crossed out N. M. (which many People told me was the property of Neil McCarter), which was took away with his own, the above mark of N. M. being taken out & P. M. put on. I am satisfied that I can make it appear that it was Neil McCarter's Property. I mentioned this to Colo. Moore. However Mr. Mallett can satisfy the public whether he has accounted with them for it or not. Some time after Mr. Mallett sent an order to me to deliver his Effects. I wrote him an Answer that he should prove his Property before I would deliver it (having some cause, as I think, after his altering the above mark). However he got an order from the Council for me to deliver it, which I Did without its being proven. I Delivered all they Claimed with the remainder of the stove Hogshead. Neither did any Person Claim from that time till said Molasses was sold. This I declare without Prejudice or Interest.

Sworn to before me this 3rd Day of April, 1778.

THOS. OWEN.

WM. McREE.

To the Honorable the Representatives of the State of North Carolina in General Assembly convened.

The Memorial of Ebenezer Hazard Esq. Surveyor General of the Post Office and Post Roads;

Praying for certain Laws to be passed for removing the Evils therein complained of.

Dated NEWBERN, April 6th, 1778.

To the Honorable the Representatives of the State of North Carolina in General Assembly convened.

The Memorial of Ebenezer Hazard Esquire, appointed by Congress Surveyor General of the Post Offices and Post Roads throughout the United States,

MOST RESPECTFULLY SHEWETH,

That your Memorialist apprehends that were a Law passed, obliging Masters of Vessels, arriving in any Port within this State, to Lodge all the Letters they may bring with them (except such as are directed to the Owners or Consignees of the vessel) in the Post Office of the Port at which they may arrive, [it] would conduce to public Utility, and tend to increase the Revenue of the Post Office, which at present is too small to defray the necessary expenses. As Cases may occur in which it may be of Advantage to the Owner or Consignee of the vessel to detain particular Letters which may be on board for other Persons, perhaps it may appear necessary that the Master of the vessel should deliver all his Letters except as above to the Post Master, upon Oath; and to enforce a compliance wth the Law, a Certificate from the Post Master of his having received the Letters might be made a necessary Pre-requisite to an Entry at the Custom House. That Ferriage is demanded of the Post Riders for crossing several Ferries in this State, which your Memorialist Conceives to be an Imposition, as they were always, previous to the present Revolution, allowed to pass Ferriage free, and he apprehends that the Ferries were established upon this Condition, either expressed or implied.

That as the Post being delayed at Ferries may be attended with Consequences highly prejudicial to the United States, your Memorialist wishes for a Clause to be added to the Law proposed,

obliging Ferry-keepers to carry the Post Riders across their respective Ferries immediately upon application being made to them for that Purpose, and in Preference to every other Person, on Penalty of — pounds for each Hour's delay. That in Consequence of Memorials similar to the foregoing, the General Assemblies of the States of Georgia and South Carolina have given Leave for Bills to be brought in agreeable to the Prayers thereof, and your Memorialist has no doubt they have been passed into Laws. That the Post Road through this State has become so bad, through the neglect of the Overseers of it, as greatly to delay the Post Riders and Travellers in general. Trees have fallen across it, and are not removed; the Roots are not cut up; a number of the Causeways are Swampy and full of Holes, and many of the Bridges are almost impassable. Your Memorialist has been creditably informed that a Post of the Road between Wilmington and Lockwood's Folly has had no work done upon it for Four Years past.

That Travelling through this State in general is attended with great Danger, arising from the Trees near the Road being Boxed for the Purpose of producing turpentine, and the present injudicious mode of firing the woods, whereby many of the trees are burned in such a manner that but very little Wind will be sufficient to blow them down.

Your Memorialist begs Leave to submit the Premises to the Consideration of your Honorable House, and prays that such Laws may be passed, relating thereto, as to your Honors may appear sufficient to remove the difficulties and remedy the Evils complained of.

And your Memorialist shall ever pray, &c.,

EBEN HAZARD.

Newbern, April 6th, 1778.

LIEUT. COL. WELDON TO HIS EXCELLENCY RICHARD CASWELL.

[From MS. Records in Office of Secretary of State.]

Halifax, 10th 1778.

Sir:

Inclosed is a decree of the court martial held at Halifax the fifth of April which I am Requested to send you in order if you think proper, to have laid before the Assembly. If they think fit to make a new arrangement of the field Officers I refer you to our members of Assembly to nominate the persons. I am Sir

Your Humble Servt.

SAMUEL WELDON.

In court Martial Samuel Weldon President.

Major Geddy produced a certificate signed by Hardy Murfrey Major the 2nd No. Carolina Battalion Siting forth that Colo. Willis Alston had produced him an able body man to Serve as a Soldier in order to exempt himself and one M. Right from militia duty, as Mr. Alston Desired Major Geddy to produce the said certificate in case there should be a draft, and that general, in order to excuse himself from said Draft The court Request the President to write to the Governor to supersede the said Alston.

True Copy.

THOS. COLEMAN, C. C. M.

North Carolina Gazett, April 10, 1778.

Newbern, April 10.

On Saturday last a sloop came up within Ocracock Bar and Anchored, the pilots knowing the vessel, as she had lately sailed from this port, went on board her, when to their great surprise, they discovered her to be an English privateer from St. Augustine, the Capt. of which told them, that they were come after the Frenchmen, and if they did not immediately carry him over the bar into the road where lay a French ship and a brig, with a considerable quantity of Tobacco on board, he would instantly put

them to death. The pilots accordingly carried the sloop in, when she immediately boarded the brig and ship, hoisted what Tobacco was on board the ship, into the brig, and carried her, with a Burmuda sloop loaded with salt, out, and went off with them. They had taken two or three prizes off the Bar before. Thus has a small sloop with 4 guns and 30 men robbed this State of two fine vessels with more than 100 hogshead of tobacco and a considerable quantity of salt. This surely shows the necessity of keeping some force on Ocracock Island, otherwise our trade will be annihilated.

PRES'T RAWLINS LOWNDES OF S. C. TO RICH'D CASWELL ESQR. GOV. OF NO. CAROLINA.

[From MS. Records in Office of Secretary of State.]

Chas. Town 13 April 1778.

Sir:

Doct. David Oliphant, Director General of the Hospital of this State, having Occasion to Transact some Private Business in your Government, has my leave of absence for that purpose; And I take the liberty to recommend him to your Excellency's Protection. I have the Hon. to be with very great Respect

Your Excellency's Most Obed hum Servt

RAW. LOWNDES.

COLO NICHOLAS LONG TO GOV. CASWELL.

[From MS. Records in Office of Secretary of State.]

Halifax 13th April 1778.

Sir:

Yesterday I received a Letter from Colo. Finnie the copy here inclosed for your persual. Shall dispatch four waggons to Newbern this day. They were intended for So. Quay but as matters are so circumstanced, they must take the Lead and proceed to Wil-

liamsburg and when delivered Col. Finnie may order them to the place they were intended for. If occasion if not to return to this state again of which shall inform him of immediately.

There is some lead here as to the Quantity I refer you to Mr. Craike. Should there be a load it might be sent of, and replaced hereafter if occasion; If this be agreeable please write me by the return of the express.

And at the same time you'll please to let me know if my waggons are wanting for the transporting the cloth &c for the soldiers; believe it may be in my power to furnish three or four for that purpose. Shall be at Newbern very shortly when I shall have the Honour to wait on you and am Sir

Your most Obedt. Servt
NICAOLAS LONG D. Q. M. G.

PAPERS LAID BEFORE THE GENERAL ASSEMBLY.

April 1778.

No. 1. A Resolve of Congress regarding the old Currency
Dec. 3rd 1777.

2. Congress's Address to the General Assembly 23d Dec. 1777 & sundry Resolves 20th do recommending the enacting Laws, &c.

3. Resolve of Congress for punishing the Inhabitants of the United States who join the Enemy, &c., 29 Dec. 1777.

4. Resolve of Congress 31 Dec. 1777 to Suspend filling up appointments of officers in Continental Service.

5. Resolutions of Congress respecting General Burgoyne and his Troops 8 Jan. 1778.

6. Resolve of Congress regarding Transporting provisions 19 Jan. 1778.

7. Resolves of Congress 18 Dec. 1777 directing that provisions supplied prisoners be paid for in Gold & Silver, &c., &c., 21 Jany. 1778 respecting prisoners, &c.

8. Resolves of Congress requiring officers under Congress to take Oaths, &c. 3 Feb. 1778.

9. Resolves of Congress of the 5, 6 & 9 Feb. 1778 directing monthly returns, appointing Auditors of public accounts, &c., and directing executive powers of the States to suspend for Misbehavior, &c. Officers of the State, &c.

10. Resolves of Congress for preventing Malconduct in Continental Officers and recommending the enacting Laws for recovery of Debts due to the United States 9 Feb. 1778.

11. Resolve of Congress directing Board of War to inquire into the Causes of the deficiencies in the purchasing Commissaries.

12. Resolve of Congress for laying an embargo on Beef and pork 13 Feb. 1778.

13. Resolve of Congress respecting the Complement of Continental Troops to be Raised & their places of Genl. Rendezvous &c. 26 Feb. 1778.

14. Resolve of Congress respecting the Exchange of Prisoners, &c. Feb. 26 1778.

15. Resolve of Congress for a fast 22nd April dated 7 March 1778.

16. Resolve of Congress respecting expence of removing super. & Staff Officers &c. 11 March 1778.

17. Resolve of Congress requiring 3 Delegates from each State to attend Congress 12 March 1778.

18. A Letter from Genl. Washington dated 25 Dec. 1777.

19. A Letter from Genl. Washington dated 29 Dec. 1777.

20. A Letter from Genl. McIntosh Respecting the State of the North Carolina Brigade dated 9 Jan. 1778.

21. Return of the North Carolina Brigade 5 Jan. 1778.

22. A Letter from Prest. Laurens 3 Dec. 1777.

23. A Letter from Henry Laurens Esqr. President Inclosing sundry Resolves of Congress dated 17 Jan. 1778.

24. A Letter from Henry Laurens Esqr. Presdt. of Congress dated 1st March 1778.

25. A letter from Corn. Harnett Esqr. York Town Dec. 1777.

26. A Letter from the Hon. John Penn dated 15 Feb. 1778.

27. A Letter from Hon. John Penn & Corn. Harnett Esqrs. 18 Feb. 1778.

28. A Letter from War Office 31 Dec. 1777.

29. A Letter from Horatio Gates Presdt. of the Board of War recommending raising recruits & sending on Clothing dated the 7th Feb. 1778.

30. A Letter from War Office 10th Feb. 1778.

31. Copy of a Letter from Genl. Washington & Genl. McIntosh orders respecting North Carolina Brigade 5 Jan. 1778.

32. A Return of the Continental Troops wanting to Complete the Continental Battalions 26 Feb. 1778.

33. A Return of Arms left by the No. Carolina Troops on the Road to Philadelphia.

34. Report of Com. of Virginia and No. Carolina for regulating and ascertaining prices of Labour.

35. A Letter from Gov. Henry 6 Jan. 1778.

36. A Letter from Col. Wm. Aylett D. C. G. P. S. D.

37. A Letter from Gov. Henry 11 Jan. 1778.

38. Resolve of House Delegates Virginia 10 Jan. 1778.

39. Copy Virginia Act Assembly respecting Provs.

40. Hon. Speakers of the Senate and House Delegates Virginia 14 Jan. 1778.

41. Resolve Virginia Assembly 14 Jan. 1778.

42. An Act for authorizing the Seizure of Salt in the same Manner as provisions for the use of the army, Virginia.

43. A Letter from George Wythe Esqr. Virginia 22 Jan. 1778 Inclosing sundry Resolutions Genl. Assembly to be laid before No. Carolina Assembly.

44. Copy of a Letter from Henry Laurens Esqr. President of Congress to the Speaker of the House of Delegates Virginia.

45. A Letter from Lieut. Gov. Page Wmsburg 5 Feb. 1778.

46. A Letter from Hon. John Page Esqr. Lieut. Gov. Virginia 18 Feb. 1778.

47. A Letter from Wm. Finnie D. Q. M. G. S. D. 19 Feb. 1778.

48. A Letter from Col. W. Aylett D. C. G. P. S. D. 19 Feb. 1778.

49. Resolve of Congress respecting inland Transportation of provisions 15 Jan. 1778.

50. A Letter from Fielding Lewis Esqr. dated the 29 Jan. 1778. A Letter from Gov. Henry 23rd Feb. 1778. Pay roll of the Ship Caswell 9 April 1778.

Capt. Wilcox of the Caswell Galley requiring a Tender 9 April 1778.

15th April 1778. R. CASWELL.

North Carolina Gazette, April 24, 1778.

Newbern, April 24.

A report prevails here, that Capt. Biddle, in the Randolph frigate, was unfortunately blown up in an engagement with a very large English ship off Barbadoes, supposed to be the Portland, of fifty guns, and every soul on board perished; and by several concurring circumstances from Martinico, tis feared the account is too true.

On Saturday last, being the day of the annual election of a governor and council for this State, his Excellency Richard Caswell, Esqr. was again unanimously elected to that important office; and the Hon. Joseph Leech, Thomas Bonner, William Cray, Edward Starkey, Robert Bignall, Richard Henderson, and William Haywood, Esquires, were elected councillors.

A. NASH TO WHITMILL HILL ESQR. SPEAKER OF THE SENATE DECLINING THE OFFICE OF DELEGATE.

[From MS. Records in Office of Secretary of State.]

New Bern April 25th 1778.

Honourable Sir:

Thro' you I beg leave to acquaint the members of the Senate, that some Gentlemen of your House, have done me the honour to propose putting me in nomination for one of their Delegates to Congress. Such an appointment I should consider as the highest honour that could be conferred on me; at the same time I beg leave to observe that I find a Bill is now on its passage, for establishing a Court of Chancery in this State, a Court in my humble opinion, absolutely necessary in a country where the Common Law prevails, and Sir as my highest ambition is to serve my Country in a Department where I know myself to be best qualified,I am led to prefer an appointment in the Court of Chancery to any other tho' more honourable.

I have the honor to be most respectfully Sir your obed Servt.

A. NASH.

GOV. CASWELL TO THE HONORABLE THE GENERAL ASSEMBLY.

[From MS. Records In Office of Secretary of State.]

Gentlemen:

David Smith Esquire who was Colonel of the Regiment of Militia in Cumberland County and John Armstrong Esquire who was first Major of the said Regiment have Resigned their respective Commissions, and as it is Absolutely necessary that a diligent, & active officer should be appointed to the Command of the Regiment, a person well acquainted with the different Manners and Customs of the People in that County and one whose past conduct and knowledge in Military Matters will give him weight with those people, I take the Liberty of recommending Robert Rowan Esqr., as a Gentleman whose Character and Conduct will entitle him to such Command in my opinion in preference to any person in that county.

R. CASWELL.

New Bern, 28th April, 1778.

DR. THOS. BURKE TO GOV. CASWELL.

York April 29th 1778.

Dr. Sir:

You will receive from the President of Congress some Extracts from the Journals relative to me which will appear very odd to you if uninformed of several attending circumstances. The history of the matter is as follows: A letter was received from General Washington relative to some resolutions of Congress which stood in the way of an Exchange of Prisoners; the House in general determined not to recede from the resolutions he complained of, which I believe I mentioned to you in a former letter. A Committee was appointed to draught a letter in answer. The draught was reported, and it appeared to several of us exceptionable in many parts, particularly in some Eulogisms on the whole Tenor of the resolutions of Congress relative to the Exchange of prisoners which we thought neither consistent with Truth or Modesty, and also in several charges against the General of suffering the

Dignity and Honor of the United States to be Injured, charges which were I am persuaded void of all foundation. The whole indeed appeared to several Gentlemen as well as to me to indicate in the framers a disposition not friendly to the General, nor such as so good, so Important, so public spirited and Disinterested a Character deserves. One Paragraph had taken up the whole afternoon in debate. The members of the Committee had let themselves very largely into many foreign matters, declaimed very vehemently but to no other purpose than confirming us in our former opinions, and fatiguing every faculty. At length the exceptionable parts of the Paragraph were expunged and it received a very different dress. The members of the Committee strenuously urged that we should proceed and finish the letter that night, tho' it was then after ten o'clock. The principal opposition they met with through the day was from General Reid, of Pennsylvania, Mr. Drayton, of South Carolina and myself. I labored under a very Distressing fit of an intermitting fever, which heightened by the part I was obliged to take in the Debate, and the noise of loud, incessant Declamation, occasioned so violent pain in my head that I was totally unable to attend any longer. Mr. Harnett has been several days confined and there were only Nine States represented. In vain was all this and much more which was equally forcible, urged against Sitting any longer. The Question for adjournment was put, and before it came to me I was very apprehensive it would pass in the Negative and I determined to withdraw if no other way was left, to prevent our proceeding so improperly on business of such Importance. Those who know the Opinions that had long prevailed relative to a party against a certain great officer, will not deem this resolution an absurd one, tho' perhaps it was not the most prudent that could have been formed on the Occasion. The event took place nearly as stated in the Journal and I withdrew; the Messenger attended me soon after with a message which from his manner of Delivering it and from my knowing there could be no Congress without me I did not conceive to have come from the President, but from Mr. Duer, of New York, with whom I was on Terms of particular intimacy, and who I imagined, presuming on that Intimacy, had sent for me in order to his facilitating his carrying through the Letter, which seemed to be a favourite object with him. I

returned an answer which I intended for him and in which I was not choice of expressions. Next morning the matter was opened by a member from Massachusetts, in a very illiberal manner, but with general observations, and general Inferences of Danger and Inconvenience if such practice was to be permitted. I rose immediately, observed that the application was doubtless intended for the Event of the preceding Evening, (I did not at this time know that my answer had been reported) and therefore said nothing relative to it to the particular Event. I said little more than I was indisposed, and my faculties had been so much fatigued by the whole day's attention that I found myself unable to discharge my duty, and I conceived very few other members were. To the general Observations and Inferences I answered that an unreasonable exercise of any Power was Tyrrany, and that to keep a member at such unreasonable Hours and under such circumstances was in my opinion Tyrannical, and that I would not submit to it but by force on my person; that I considered every freeman as having a right to judge for himself when the Exercise of any Power was unreasonable, and if I erred in my judgment the power of punishing lay with the State I represented. If Congress should determine to what hour the members should attend in the afternoon as it had in the forenoon I would punctually attend, but while it was undetermined I must use my own judgment, at the risk of Incurring whatever Penalties my Country should adjudge. The members of the Committee who had framed the letter, now united, and labored strenuously to make a Mountain of this Mole-hill, talked vehemently of the insolence of appealing to the States, declared their disposition to proceed to Commitment or to Expulsion and lamented that the circumstances of Congress made my presence Necessary and prevented them from moving to such purposes. They talked very much of the Contempt in calling any act of a Majority of Congressa Tyrany. I now perceived that I was on ground which it became my Duty to maintain with consequences to myself never so fatal. I addressed the President and declared I would sit patiently until every Gentleman in the House who chose to speak should exhaust the whole of his eloquence. I would only request them that if they chose to use any abusive language (for much had been used) they would reserve it for some other place, and when every one should have

done I would reply. I accordingly sat very patient for Hours, and at length when every one who chose it had entirely done I delivered the following Sentiments: That my opinion of the power of Congress over its members had been often given in that Assembly and was well known to be that no member could refuse his attendance or even his Vote when called on, that the States furnish quotas of Council as well as Troops, that either would be furnished in vain if the Individuals assigned could refuse to perform the requisite Duty, that my name stood to this opinion on the Journals, but the Individual must of necessity Judge whether the particular Instance in which his performance is required be reasonable or not. If he judges wrong or disobeys without just reason he incurs the penalties provided for misbehavior in office, but the power of judging and punishing Delegates was never Committed to Congress by any Express act of the State I represented, that the opinion that each freeman had a right to judge of the reasonableness or unreasonableness of any act of power, and even to resist it if unreasonable at the risk only of the Judgment of his Country, I held to be the grand Principle of Whiggism and the best Security for public Liberty, a principle which I would never forego but with my Life, that the other opinion relative to the jurisdiction of the State over its delegates seemed to me to Involve the Sovereignty of the State and its Security in a representation since it would be impossible for its representatives to assert and maintain its rights with firmness and freedom if subject to arbitrary Imprisonments, and punishments by Congress & that I would never retract it but by the Express order of the State, who alone had power to give it up. That I would not justify the particular breach of order under Consideration, but hoped it might be excused because it was not unusual nor under its par. ticular circumstances even improper. That as I discovered great favour in all the members except a few towards me on this occasion I was exceedingly sorry my Conduct or Language had given offense; that nothing was further from my intentions, that the words I used were the only names I knew for the things I wanted to express, that I held it an unworthy Business for a republican and a representative of a free and sovereign People to be looking out for courtly Expressions. That had the matter been opened with any regard to Liberality, a few words which I

would have said would have Satisfied the House, and put an end to it, but as the matter was managed it became Inconsistent with my Duty and my honor to make any Concession without expressly insisting on my opinions. That with this reservation I would make any apology the House should require, but without it I could make none which would not involve a breach of Trust to my Country, and no punishment could be devised which I would not meet sooner than be guilty of such an offence. The members of the Committee still persisted nothing would do but an Explicit acknowledgement of what they pleased to call my Error. I rejoined only that I knew no power who could make a man change his opinion before he was Convinced of his Error, that I was not and therefore would not acknowledge it. They procceded now to enter on the Journals such a state of facts as they pleased. I desired only that they would enter a fair and full statement, that such as they offered were far from being so. After some time it was said by the Gentlemen that I should have an opportunity of answering and could set forth any that were omitted. In my answer I acquiesced, and so did the House. They then proceeded to take down some of my Expressions in debate. I required them to take down all that would speak my full Sense, and not detached Expressions; that I would give it to them as fully as they could wish, being firmly resolved not to retract one Iota of it. But I was answered, as before, that I could supply the deficiencies in my answer, and I acquiesced. The Entries were made and the president announced them in form. I thanked him for his politeness of manner, told him I hoped I could satisfy the House that no disrespect was Intended to them, but that I avowed my opinions as I delivered them in debate; that I persisted in them, and insisted on entire freedom of Debate. I was required to return an answer to the next adjournment, which was to be in the afternoon, and I desired no longer time; but afterwards the House changed it to Monday, which was the next day of Business.

THOS. BURKE.

[No. Carolina State Papers, No. 72 p. 43.]

State of North Carolina

In the House of Commons 30 April 1778.

Resolved that it be recommended to the Delegates from this State to the Congress to procure the appointment of some person on Behalf of this State to purchase Whisky, Brandy or Rum and Coffee and Brown Sugar, and issue it to the North Carolina Continental Troops, so as that they shall have it in the same quantity and upon as reasonable Terms, as any Soldiers in the Continental Army; and that this State be debited for the expense and loss which may accrue by this measure.

By Order THOS. BENBURY, S. C.

JOHN HUNT C. H. C.

In the Senate 1 May 1778.

Read & Concurred with.

WHITMILL. HILL S. S.

Extract from the Journals.

JOHN HUNT C. H. C.

[Endorsed] No. 12.

Resolve of the Assembly of N. Carolina relative to the purchase of Whisky &c., April 30th 1778.

North Carolina Gazette, May 1, 1778.

Newbern, May 1.

Since our last, the General Assembly now sitting here, proceeded to the appointment of continental delegates, when the choice fell on Cornelius Harnett, and John Penn Esqrs. and the Hon. John Williams Esqr. speaker of the house of commons, which office vacating his seat in that house, the Hon. Thomas Benbury, Esqr. was unanimously elected to the chair in his room, and seated accordingly.

The Assembly have passed a bill for filling up the several regiments of this State, and have offered a bounty of a hundred dollars for volunteers, otherwise every regiment to ballot their quota of men, with a bounty of fifty dollars.

Copy of a Com. to the Continental Delegates 2 May 1778.

State of North Carolina.

To John Penn, Cornelius Harnett and John Williams Esquires.

Greeting:

Whereas the General Assembly have Elected you Delegates to attend the Congress of the United States. These are therefore to Commissionate, Authorize & Impower you the said John Penn, Cornelius Harnett and John Williams to attend the said Congress of the United States of America, in behalf of this State, from and after the....day April last for one year unless sooner recalled by the General Assembly. And you are hereby invested with such powers as may make any Act done by you or consent given, in the said Congress, in behalf of this State obligatory (upon every) Inhabitant thereof.

Witness Richard Caswell Esquire, Governor, Captain General & Commander in Chief of the said State, under his Hand and Seal at arms at New Bern the 2nd day of May Anno. Dom. 1778, and in the second year of our Independence of this State.

R. CASWELL.

J. Glasgow Secretary.

By His Excellency's Command.

EXTRACT FROM.

A General Return of the Continental Army Under the Command of His Excellency George Washington Esqr. Genl. and Commander in chief of the Armies of the Independent States of America.

[COPY. U. S. PENSION OFFICE VOL. 101, P. 13.]

Valley Forge, Pennsylva. May 2nd 1778.	Officers Present.																			Rank and File.						Wanting to Compt.				Since Last Return (Monthly.)							
	Field.			Commissioned.				Staff.						Non Commissioned.																					Joined		
BRIGADES.	Colonels.	Lieut. Colonels.	Majors.	Captains.	1st Lieutenants.	2nd ditto.	Ensigns.	Chaplains.	Adjutants.	Pay Master.	Qr. Master.	Surgeons.	Mates.	Sergt. Major.	Qr. Mr. Sergt.	Drum Major.	Fife Major.	Sergeants.	Drums and Fifes.	Present Fit for Duty.	Sick Present.	Sick Abst.	On Command.	On Furlough.	Total.	Sergeants.	Drums and Fifes.		Rank and File.	Dead.	Discharged.	Deserted.	Transferred.	Promoted.	Sergts.	D & Fifes.	Rank and File.
* *	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
* *	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
McINTOSH.	2	2		11	8	12	2	2	2	2	3	3	1	3	3	3	2	52	46	385	275	77	109	14	860	7	11		1060	46	4	2			2		32
* *	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
* *	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*

ALEXD SCAMMELL Adjt Genl.

North Carolina Gazette, May 8, 1778.

Advertisements.

Deserted from Col. Chariol's regiment, in the service of this State, a soldier named Marc. Clement, a native of France, about 5 feet 5 inches high, dark complexion, has several scars on his left hand, occasioned by fire, speaks bad English. Whoever secures said deserter in any Gaol in this State, or delivers him to the commanding officer at Newbern, shall have five pounds reward.

North Carolina Gazette, May 8, 1778.

An Act for raising Men, to complete the Continental Battalions belonging to this State.

Whereas it is absolutely necessary that the Continental Battalions belonging to this State be completed, and it is found impracticable to obtain that end in the common mode of recruiting.

Be it therefore enacted by the General Assembly of the State of North Carolina, and it is hereby enacted by the authority of the same, that two thousand six hundred and forty eight men shall be raised and detached from the militia of this State towards completing the same, in the following proportion and manner, viz: From the County of Craven, eighty six; Carteret, thirty; Beaufort, twenty six; Johnston, thirty four; Hyde, twenty eight; Dobbs, one hundred and three; Pitt, thirty five; New Hanover, thirty two; Onslow, forty seven; Bladen, sixty three; Duplin, sixty two; Cumberland, seventy three; Brunswick, thirteen; Rowan, one hundred and seventy four; Mecklenburg, one hundred; Tryon, eighty three; Anson, seventy eight; Surry, eighty eight; Guilford, one hundred and fifty six; Burke, sixty two; Washington, sixty two; Wilkes, thirty five; Orange, one hundred; Granville, seventy; Wake, sixty; Chatham, sixty six; Caswell, seventy seven; Halifax, eighty six; North Hampton, sixty two; Edgecombe, sixty three; Bute, one hundred and five; Martin, thirty seven; Nash, fifty six; Chowan, thirty three; Perquimans, thirty three; Pasquotank, forty five; Currituck,

fifty; Bertie, seventy six; Tyrrel, thirty four; Hertford, sixty two; and Camden, forty one. And the colonel or commanding officer in each county is hereby directed to order the field officers and captains belonging to his regiment to meet at the court house on or before the twenty fifth day of May next, and the field officers and captains shall then and there apportion the men to be raised in the county to the several companies, in proportion to the number of militia, including officers of every rank, his Excellency the Governor only excepted, in each company respectively, after deducting for such militia men only as shall have heretofore actually enlisted good able-bodied men as regular soldiers, or caused such to be enlisted, to serve in the Continental army, agreeable to the act passed in May, 1777, for encouraging the recruiting service, which said enlistments they shall prove by their own oath, and the testimony of an indifferent person, to be obtained without fraud or collusion, in due time, and without the procurement or assistance of any Continental officer or soldier. And the commanding officer in each and every county shall, within five days after such meeting, order a general muster at the place or places by law appointed, and he is hereby authorized to offer a bounty of one hundred dollars to every able-bodied man who shall voluntarily enter into the service; and if a sufficient number of volunteers do not turn out, then the several companies shall immediately proceed to determine by ballot who shall go out of each company to make up its particular quota, and the persons so voted in shall go themselves or provide able-bodied men to serve in their stead, and shall be entitled to a bounty of fifty dollars each.

And be it further enacted by the authority aforesaid, That if any company shall refuse to appear, and ballot agreeable to this act, that in that case, the field officers shall point out the men who shall serve. Provided, That it shall not be lawful to vote for any person who shall produce certificates of having actually enlisted regular soldiers, by themselves or some others for them, to serve in the continental army, agreeable to the act passed in May 1777, for encouraging the recruiting service, if such certificates were granted and obtained fairly and without fraud, and the men whose names are therein mentioned were actually enlisted by or on account of the persons claiming such exemptions, the proof thereof to be made agreeable to the directions of this act.

And be it further enacted by the authority aforesaid, That each and every person who shall voluntarily enter, or be voted into the service as aforesaid, shall be entitled to have and receive from the commanding officer of the county, a pair of shoes and stockings, two shirts, a hunting shirt, waistcoat with sleeves, a pair of breeches, and trowsers, a hat and a blanket, and five yards of tent cloth; and every six men shall be entitled to have and receive from the commanding officer one axe and a pot or a camp kettle.

And in order to procure the Cloathing aforementioned, Be it enacted by the authority aforesaid, That every company shall furnish and provide one pair of shoes and stockings, two shirts, a hunting shirt, a waistcoat with sleeves, a pair of breeches and trowsers, a hat and a blanket, five yards of tent cloth, for each and every man, and one axe and a pot or camp kettle, for every six men raised out of such company respectively. And the said articles shall be valued on oath by three freeholders or householders, who shall grant certificates of valuation to the persons furnishing the same, which certificates, with receipts, endorsed from the commanding officer of the county, for delivery thereof, shall be received by the tax-gatherers in part of public taxes: And if any company shall fail to furnish its quota of cloathing, tent cloth, camp kettles and axes, or any part thereof, the commanding officer of the county shall have power to cause so much of the property of any person or persons belonging to such a company refusing to furnish his or their quota of the aforesaid articles, to be seized and sold, as will procure the cloathing and other articles wanted, and shall grant certificates of the amount, which shall also be received by the tax-gatherers in part of public taxes.

And be it further enacted by the authority aforesaid, That the Brigadier General of each district shall take into their possession and distribute to the troops so raised, such guns as belong to the public and are good and sufficient, and in case there should not be arms for every man, then in that case, the colonel or commanding officer of each county, shall purchase guns for the men marching from the same, and shall give certificates to those from whom the guns are bought, which certificates countersigned by the clerks of the respective counties, shall be paid by the treasurer of either district, and allowed in the settlement of their accounts with the public.

And be it enacted by the authority aforesaid, That the men who shall be raised in the manner aforesaid in the districts of Halifax, Edenton, Newbern and Wilmington, shall march to Halifax, from thence to Petersburg, in Virginia, and those who shall be raised in the districts of Hillsborough and Salisbury shall rendezvous at Peytonsburg, in Pennsylvania, with all possible expedition, under the command of such continental officer or officers, as the commanding officer in the continental service in this State shall appoint for that purpose, and if there be none such appointed in any county, then the commanding officer of the militia in such county, shall appoint a person to conduct the men thereto belonging either to Halifax or Petersburg in Virginia, as the case may require, there to be delivered to the continental officer appointed to receive them, and such persons shall be allowed captain's pay and rations during the time of his employment; and the men who shall be raised in manner aforesaid, shall serve in the continental battalion of this State, for the space of 9 months from the time that they shall arrive at either of the places aforesaid, unless sooner discharged; and shall be subject to the same rules and discipline, and have the same pay and rations, as the continental troops, from the day of their being voted in, or enlisted.

And be it enacted by the authority aforesaid, That in case any person so voted in, or voluntarily entering as a soldier, agreeable to the directions of this act, shall fail to appear in due time at the place of general rendezvous, or shall desert his duty during the time specified in this act, such person shall, from thenceforward, be held and deemed a continental soldier during the present war, and shall be liable to be taken as such; and every person who shall voluntarily enlist or be voted into the service, in consequence of this act, and shall well and faithfully serve as a soldier, agreeable to the true intent and meaning of this act, shall be free and exempt from serving again as a soldier for the space of three years next after the time of his procuring a certificate of his having served as aforesaid. And if any person shall harbour or conceal any of the men who shall voluntarily enter or be voted into the service as aforesaid, such person, on conviction thereof, before any justice of the peace in the county wherein the offence shall be committed, shall be deemed a continental soldier,

and shall be turned over by the said justice to a continental Officer, or committed to gaol for that purpose, and shall serve three years, or during the war.

And be it enacted by the authority aforesaid. That the captains of each and every company shall return descriptive list of the men raised in such company, specifying the name, size, age, complexion and occupation of the men so raised, and also the name and number of the company from whence they were taken; and the said commanding officer shall make two fair copies of such descriptive list, one of which he shall deliver to the continental or other officer appointed to take charge of the men and he shall take a receipt for the delivery of the men on the other.

And be it further enacted, That the Quakers, Dunkers, Moravians, and Mennonites shall furnish men in proportion to their respective numbers in each county, and in default thereof, the commanding officer of each and every county is hereby empowered to hire men instead of the men to be by them furnished, and by warrant under his hand, directed to the sheriff of the county, to levy the sum given for such man or men, on the goods and chattels, lands and tenements of any perso belonging to such sect, as shall refuse or fail to find a man or men, agreeable to this act.

And be it enacted by the authority aforesaid, That the men raised in the County of Rowan, and those raised in the County of Guilford, shall have the liberty of electing two Captains for each County, the men raised in New Hanover County and Brunswick shall elect one Captain jointly; and in such Counties as raise more than Fifty Men, the men so raised shall and may elect a captain in every County, and in the Counties which raise a smaller Number than fifty, the Men shall and may elect one Lieutenant for every County, and the persons so elected shall be commissioned accordingly by the Governor, and shall march and continue with their respective companies, with the Rank of Militia and the Pay and Rations of regular Captains and Lieutenants, during the Time of their continuing in the Service.

And be it enacted by the authority aforesaid, That James Roper and William Sheppard be appointed Contractors for the District of Salisbury, Thomas Hart for the District of Hillsborough, to contract for and purchase Provisions and issue them

to the men raised in the said Districts until their arrival at Petersburg in Virginia, and that William Bennett be appointed for the District of Edenton, Hardy Bryan for the District of Newbern, Thomas Amis for the District of Wilmington, and William Amis for the District of Halifax, for the like Purposes, until the Men raised in the said Districts respectively shall arrive at Halifax, and then that William Amis be appointed to take charge of all those who rendezvous at Halifax, and conduct them as far as Petersburg: And the said Contractors, and every one of them, shall grant Certificates to the Owners of the Provisions by them respectively furnished, and shall have full power to seize Provisions of every Kind from any Person who shall or may have more Provisions than may be necessary for their own use or Family Consumption, if the Owners shall refuse to sell the same, and shall grant Certificates as aforesaid; and the said Certificates shall be redeemed at the next Session of Assembly, and the said Contractors shall keep regular Accounts of their disbursements or Purchases, and of all Certificates by them granted, that the Assembly may not be defrauded by Claimants, and may more easily settle with the said Contractors, who shall be allowed one Hundred and Twenty Dollars per Month for their Trouble, over and above all sums of Money by them expended for the Purposes aforesaid.

And be it enacted by the authority aforesaid, That the Colonel or Commanding Officer of the Militia in each County be, and he is hereby empowered and required, to furnish the Necessary Wagons and Carts for marching the troops raised in such County, agreeable to the Militia Law.

And be it further enacted by the authority aforesaid, That the Owners of said Waggons shall be allowed Forty Shillings per Day, and Forage and Shoes for their Horses, and every Cart the sum of Twenty shillings per Day, with Forage and Shoes for their Horses; and the said Waggons and Carts, with their Teams, before marching, shall be appraised by three Freeholders that in case of Loss or Death the Owners may be paid for the same.

And be it enacted by the authority aforesaid, That the Continental Deputy Pay Master General be, and he is hereby directed to pay the troops aforesaid; and that his Excellency the

Governor be, and he is hereby empowered to grant warrants on the Treasury to the said Paymaster for the necessary Sums, taking Security for due Application of the same.

[From "Oaths of Allegiance" Army Returns No. 39, p. 173.]

I, John Patten, Colonel of the 2d No. Carolina Battalion, do acknowledge the United States of America to be Free, Independent and Sovereign States, and declare that the people thereof owe no allegiance or obedience to George the Third, King of Great Britain; and I renounce, refuse and abjure any allegiance or obedience to him; and I do Swear.....that I will to the utmost of my power, support, maintain and defend the said United States against the said King George the Third, his heirs and successors, and his or their abettors, assistants and adherents, and will serve the said United States in the office of Colonel.....which I now hold, with fidelity, according to the best of my skill and understanding.

JOHN PATTEN.

Sworn to before me this 11th day of May 1778.

Lach^{n} McIntosh B. G.

[From "Oaths of Allegiance"—Army Returns, No. 38, p, 126.]

I, Anthony Sharp, Captain in the 9th No. Carolina Battalion, do acknowledge the United States of America to be Free, Independent and Sovereign States, and declare that the people thereof owe no allegiance or obedience to George the Third, King of Great Britain; and I renounce refuse and abjure any allegiance or obedience to him; and I do Swear.....that I will, to the utmost of my power, support, maintain and defend the said United States against the said King George the Third, his heirs and successors, and his or their abettors, assistants and adherents, and will serve the said

United States in the office of Captain.....which I now hold, with fidelity, according to the best of my skill and understanding.

ANTHY SHARP.

Sworn to before me this 14th day of May 1778.
LACAN. MCINTOSH B. G.

NORTH CAROLINA GAZETTE, May 15, 1778.

NEWBERN May 15.

There are now cruizing on this coast, three privateers, Capt. McFarling, in a 16 gun brig, and Captains Neale and Goodrich in 10 gun sloops. They have lately taken several vessels near Ocracock Bar, and a few days ago, Captain Goodrich decoyed the pilots at old Topsail Inlet, came in and took a brig, a prize sent in by the continental frigate Raleigh, and a vessel just arrived from Charlestown with a valuable cargo and a large sum of money on board. He endeavored to carry off the brig, but not being able to get her out, set her on fire and left her; she had on board 1200 bushels of salt, had just been condemned by the court of admiralty and sold, and we hear those concerned extinguished the fire and have saved the salt, but the vessel is ruined. A fort is now building at Cape Lookout Bay, for the protection of vessels that may lie there, but the harbour within old Topsail Inlet is quite exploded, and while the pilots on the sea coast are so easily decoyed, and receive such ample rewards for their fidelity, we fear the trade of this State will be entirely stopped.

[FROM "OATHS OF ALLEGIANCE," ARMY RETURNS, NO. 38, P. 176.]

I, Adam Boyd, Chaplain in 2d N. Carolina battalion, do acknowledge the United States of America to be Free, Independent Sovereign States, and declare that the people thereof owe no allegiance or obedience to George the Third, King of Great Britain; and I renounce, refuse and abjure any allegiance or obedience to him; and I do swear———that I will, to the utmost of my power, support, maintain and defend the said United States against the

said King George the Third, his heirs and successors, and his or their abettors, assistants and adherents, and will serve the said United States in the office of chaplain———which I now hold, with fidelity, according to the best of my skill and understanding.

ADAM BOYD.

Sworn to, Valley Forge Camp, 16th May, 1778 before,

LACHN. McINTOSH, B. G.

CAPTAIN GREGORY'S RESIGNATION.

This is to Certify that Captain Demcey Gregory of my Regt. is neither indebted to the United States of America nor the Officers or Soldiers of the Tenth North Carolina Battalion to the best of my knowledge, and from the unsettled State of his affairs occasioned by the death of his father-in-law, that he has my leave to resign his commission.

Given under my hand, May 20th, 1778.

ABR'M SHEPPARD.
Col. X. N. C. Batt.

Endorsed: "Captain Demcey Gregory of the 10th North Carolina Battalion has my permission to resign his Commission.

T. CLARK,
Col. Comd'g, N. C. B.

STATE OF FORTH CAROLINA, }
NEW-BERN DISTRICT. }

At a Superior Court of Law begun and held at New-Bern, in and for the District of New-Bern, on the 20th day of May, in the year of our Lord 1778, and in the second year of the Independence of said State.

Proclamation being made commanding all manner of Persons to keep silence, the Hon'ble Samuel Spencer, Esqr., produced a Commission directed to the Hon'ble Sam. Ashe, the said Samuel Spencer & the Hon'ble James Iredell, Esqrs., commissionating them Judges of the Superior Courts of Law in the State aforesaid, which was published by reading the same.

The Crier then opened the Court, and a Commission from his Excellency the Governor constituting John Cooke Clerk of the aforesaid Court was read.

The Court adjourned until to-morrow morning at 9 o'clock.

Thursday the 21st May. The Court met according to adjournment.

Present; The Hon'ble Samuel Spencer.

Proclamation was made for the Sheriffs, Justices & other officers belonging to the Counties of Craven, Carteret, Beaufort, Johnston, Hyde, Pitt and Dobbs to return the Recognizances & Precepts & other papers to them directed, or in their custody, and returnable here this day, that the Court may proceed thereon.

(Here follow lists of jurors by the Sheriffs.)

The Court adjourned 'till to-morrow 9 o'clock.

Friday 22nd May. The Court met according to adjournment.

Present:

The Hon'ble { Samuel Ashe, Esqr / Samuel Spencer, Esqr } Judges.

Ordered by the Court that the Sheriffs of the Counties of Carteret, Beaufort, Hyde and Pitt be amerced fifty pounds [each] for not attending this Court. Nisi.

Ordered by the Court that the Sheriffs of Dobbs and Johnston Counties be amerced seventy-five pounds [each] for not attending this Court, and making return of the Jurors by them summoned to attend the same. Nisi.

Saturday, the 23d day of May. The Court met according to adjournment.

Present:

The Hon'ble { Samuel Ashe, / Samuel Spencer, / James Iredell, } Esqrs.

North Carolina Gazette, May 22, 1778.

Advertisements.

Newbern, May 22.

Yesterday the regiment of militia of this County were under arms here, in order to ballot for their quota of men to be sent to

head quarters, agreeable to an act of assembly for compleating the continental battalions of this state, when with great cheerfulness a considerable number of volunteers turned out, and very few men were balloted. A very handsome and generous bounty was raised for the men, and every possible means will be taken to accommodate them with every necessary for the ease and facility of their march.

North Carolina Gazette, May 22, 1778.

Advertisements.

I have just opened a large assortment of fresh imported medicines, among which there is a greater quantity of almost all the following articles, than I could consume in my own practice in many years, therefore would be glad to supply others, at the lowest terms with what ever they may want, of Peruvian bark, camphire, sweet mercury, opium, rheubarb, jallap, Ipecacuanha, aloes, myrrh, gummastick, magnesia, Spanish flies, Venice treacle, borax, saltpetre, volatile salt of hartshorn, do. of salamoniac, camomile flower, brimstone, and flowers of sulphur, &c &c.

ALEX. GASTON.

North Carolina Gazette, May 22, 1778.

Newbern, 22 May.

Whereas a final settlement on the estate of Edward Francks, deceased, ought to be made at the next court, it is therefore requested that all persons having any demands against the said estate will bring them in immediately, and all those indebted thereto make immediate payment.

WAIGHTSTILL AVERY,
Administrator &c.
LEAH AVERY,
Administratrix.

CAPT. ZILLICOFFER TO GOV. CASWELL.

[From MS. Records in Office of Secretary of State.]

New Bern May 23rd 1778.

Excellency:

I expected to be so happy to see you and to present you Sir my respectful Duty and to make you my acknowledgements for the favor you will have in Employen me for Captaine in Mr. Scharid's Regiment. I hope I will do my Business so well to give your Excellence all the Satisfaction you can desire from me and for that I can give to you Said Satisfaction, I would make some statements, but I can not do it, so your Excellence will Deliver to Mr. Schariel my Commission for what I want him. I believe he Colonel Schariel has Spiked to your Excellence for me in this case.I hope your Excellence will Deliver to me Said Commission, or Brevet. I go to the morrow morning to Edenton for my business I have there; if I can rend to your Excellence any Services, your Excellence will Dispose of me in Every case being with the greatest Esteem

Your Excellence Most Obedient Servt

H. ZOLLICOFFER.

Your Excellence will Excuse my bad English, reiding in any time I will do it more better then I can do it now.

EXTRACT FROM

A General return of the Continental Army Under the Command of His Excellency George Washington, Esq'r, Gen'l and Commander in Chief of the Armies of the Independent States of America.

[U. S. Pension Bureau, Vol. 101, p. 17.]

Valley Forge, May 28, 1778.			Brigades
* * * *	* * * *	* * * *	McIntosh.
*	*	3	Colonels.
*	*	2	Lieut. Colonels.
*	*	2	Majors.
*	*	16	Captains.
*	*	16	1st Lieutenants.
*	*	14	2nd ditto.
*	*	8	Ensigns.
*	*	2	Chaplains.
*	*	4	Adjutants.
*	*	4	Pay Master.
*	*	4	Qr. Master.
*	*	3	Surgeons.
*	*	2	Mates.
*	*	4	Serg't Major.
*	*	4	Qr. Mr. Serg't.
*	*	4	Drum Major.
*	*	2	Fife Major.
*	*	75	Sergeants.
*	*	60	Drums and Fifes.
*	*	463	Present Fit for Duty.
*	*	305	Present.
*	*	108	Absent.
*	*	227	On Command.
*	*	11	On Furlough.
*	*	1114	Total.
*	*	15	Sergeants.
*	*	12	D. and Fifes.
*	*	1447	Rank and File.
*	*	11	Dead.
*	*		Discharged.
*	*	2	Deserted.
*	*		Transferred.
*	*		Promoted.
*	*	1	Serg'ts.
*	*	1	D. and Fifes.
*	*	11	Rank and File.

Officers Present. — Field. — Commission'd. — Staff. — Non-Commissioned.

Rank and File. — Sick.

Wanting to Compt.

Since Last Return. — Joined.

ALEXANDER SCAMMELL, Adj't Gen'l.

[From the Files in the Pension Office, MS. P'hlt.]

State of North Carolina,
Orange County.

I hereby certify, That Jesse Rigsby this Day appeared before me, one of the Justices of the said County, and took the Oath of Allegiance, agreeable to Law.

Given under my hand this 23 Day of May, Anno Domini, 1778.

JOHN HOGAN.

GOV. R. CASWELL TO PREST. H. LAURENS.

[North Carolina State Papers, Vol. 72, p. 55.]

New Bern, 25th May, 1778.

Sir:

I had the Honor to receive your favors of the 5 and 6 instant, last evening with their Inclosures.

The wisdom of France is conspicuous in the treaty she has concluded with America. It shows her justice and magnanimity in not attempting to obtain exclusive advantages, and may prevent jealousys in other powers. In short sir, it bespeaks those who conduct her Councils to be possessed of very different sentiments and abilities from those of Britain.

The satisfaction I feel, as an individual on this occasion, I am unable to express. I have the Honor to congratulate you and the Honble Members of Congress on the glorious event of this treaty and am with the most perfect Esteem and regard Sir,

Your most obedient and very humble servant,

R. CASWELL.

Hon'ble Henry Laurens,
Presidt of Congress.

Endorsed Letter from Gov. Caswell
25 May, 1778, recd 22 June.

ALEX. GASTON, JOHN GREEN & CAPT. M. CONNELL AFFID. RESPECTING JAMES DAVIS, ESQR.

[From MS. Records in Office of Secretary of State.]

New Bern, May 28th 1778.

State of North Carolina, }
Craven County. }

This day personally appeared before me William Tisdale Esqr. one of the Justices of Craven County, Alexander Gaston, John Green, & Capt. Macconnel being sworn on the holy Evangelist depose & say that James Davis, Esqr. did this day in the public street, swear that he would raise a Posse this night & drive every Frenchman out of Town, & that every person who favoured them should share the same fate.

Sworn to before me at New Bern this 28th day of May 1778.

WILLIAM TISDALE, J. P.

North Carolina Gazette, May 29, 1778.

Newbern May 29.

On Monday last an express arrived to his Excellency the Governor, with dispatches from Congress, containing a copy of the treaty of friendship and alliance lately concluded between the court of France and the United States of America. The same was immediately published here, under a display of American and French colors, and a triple discharge from thirteen pieces of cannon and the town company of Militia, which was drawn up for that purpose. Universal joy appeared in every countenance; great plenty of liquor was given to the populace, and the evening concluded with great good humor and social mirth.

[Journals of Congress, Vol. II, P. 571.]

Friday, May 29, 1778.

Congress took into consideration the report of the committee on Governor Caswell's letter: Whereupon,

Resolved, That the non-commissioned officers and other men belonging to the battalions of the State of North Carolina, now in camp, be forthwith reduced and formed by the commander-in-chief into as many battalions as they will complete, according to the number composing the old battalions; and that such new formed battalions be officered agreeably to the new arrangement of the battalions; and that all the supernumerary officers be immediately ordered to return to the State of North Carolina, to officer the men raised by that State to complete their quota of the continental battalions, there to remain till the further order of Congress.

Resolved, That the State of North Carolina be required to fill up four battalions, and no more, upon the new establishment, in addition to those now in camp, and to officer the same with such of their continental officers as may be ordered from camp as supernumeraries of the battalions there, or as are within the State of North Carolina, or with such other persons as they shall think proper; and that the said four battalions remain within the State of North Carolina, at such places as the Governor shall direct until the farther order of Congress.

Resolved, That the officers who have been appointed by the said State of North Carolina to battalions raised by that State, and who shall not be annexed either to their battalions in camp nor to one of the said four battalions, shall not be considered in the service of the United States, but as dismissed therefrom.

Resolved, that 100,000 Dollars be paid to Capt. Redding Blount in lieu of Governor Caswell's draft for 500,000 Dollars made in Pursuance of a Resolution of the General Assembly of the State of North Carolina, the said State to be Accountable for the Same.

A true Copy taken from the Minutes.

Dear Sir;

I have this day Received the above resolve and have sent it to you by Capt. Brinkley that you may use your Pleasure in giving orders. I have sent a man to the Governor for his orders. I am Sir with great Regard,

Your most Humble Servt,

JAMES HOGUN.

[GEN. GREEN'S LETTERS, BOOK 183, VOL. 1, P. 263.]

"Return of Riding Horses the property of the Public in the service of the No. Carolina Brigade, commanded by Col. Thomas Clark, Camp Valley Forge, May 30, 1778.

			No.
Major Hardy Murfree	2nd Regiment	Present	1
" John Sheppard	10th "	do	1
Capt. Mathew Wood,	3rd "	at Lancaster	1
Lieut. James King	1st "	do	1
Lieut. John Daves	2nd "	No. Carol	1
Q. M. Nath. Nuthall	9th "	do	1
Q. M. Woode Jones	10th "	Present	1
B. Q. M. Abishai Thomas		do	1
B. Major John Berrien		do	1
Lt. Col. (?) John Ingram		do	1
	Total		10

N. B. None of the above horses were taken in Chester County (to my best knowledge); they are all branded except the one in possession of.

A. THOMAS,
A. Q. M. G.

NOTE:—This will probably be of interest as giving the location and composition of the Brigade at the time.

GRAHAM DAVES.

EXTRACTS—A General Return of the Continental Army Under the Immediate Command of His Excellency George Washington, Esq., General and Commander in Chief of the Armies of the Independent States of America.

Valley Forge, May 30th, 1778.	Officers Present.																			Rank and File.						Wanting to Compleat.			Since Last Return.								(Note—Dep't of State. Washington papers, army returns, Book 101, P. 18.)
	Field.			Com'd.				Staff.						Non Com'd.																							
BRIGADES.	Colonels.	Lt. Colonels.	Majors.	Captains.	1st Lieutenants.	2nd do. do.	Ensigns.	Chaplains.	Adjutants.	Pay Masters.	Qr. Masters.	Surgeons.	Mates.	Serjeant Major.	QrM. Serjeant.	Drum Major.	Fife Major.	Serjeants.	Drums & Fifes.	Present Fit for Duty.	Sick Present.	Sick Absent.	On Command.	On Furlough.	Total.	Serjeants.	Drums & Fifes.	Rank & File.	Dead.	Discharged.	Deserted.	Transferred.	Promoted.	Serjeants.	Drums & Fifes.	Rank & File.	
McIntosh's. No. Caro.—Late Nash's.	2	2	3	18	15	17	7	2	4	4	4	3	2	4	3	4	3	73	70	563	370	95	120	9	1157	14	16	1403	48	2	23		2	4	2	99	Alex Scammell, Adjt. Gen'l.
White Plains, July 25th, 1778.	"Weekly Return," &c., *as above.*																																				Ibid. P. 26.
Brigades. North Carolina.	1	2	1	10	2	9	15	1	2	2	2	1	1	2	2	1	2	40	28	638	47	415	126	3	1229				2	1	1					27	Alexdr. Scammell, Adjt. Gen'l.
Camp Fredericksburg, Nov. 1st, 1778.	"Monthly Return," &c., as above.																																				Ibid. P. 63.
Brigades. North Carolina.	1	1	2	8	11		7		2	1	2	2	1	2	2	2	1	40	30	650	61	138	215	6	1070				24	97	2					11	Alex Scammell, Adjt. Gen'l.
Camp Middlebrook, Feb. 28th, 1779.	"Monthly Return," &c., as above.																																				Book 102, P.
Brigades and Corps. North Carolina Brigade.	1	2	2	7	11		7		2	2	2	2	1	2	2	2	1	39	31	525	72	51	252	8	908				10		5					6	Alex Scammell, Adjt. Gen'l.

JOEL PARISH TO RICHARD CASWELL.

[From MS. Records in Office of Secretary of State.]

[Post Paid.]

Wilmington, June 1st 1778.

Sir:

I left at your Excellencies a Petition for a New Election of a Captain for the Long Creek Company. I received a letter the 29th October acquainting me that you would lay this matter before Council but have never since heard the Determination of the Matter. Beg the Favor of a few lines on the subject.

Your compliance will oblige Sir, your most Obedient

Most obliged &

very Humble Servant

JOEL PARISH.

ALEX. GASTON'S DEPOS. RESPECTING JAMES DAVIS, ESQR.

5 June 1778.

State of North Carolina, Craven County,

This day personally appeared before me William Tisdale, Esq., one of the Justices for Craven County, Alexander Gaston, Esq., being sworn on the holy Evangelist of Almighty God deposeth on oath, that on the twenty eighth day of May last, James, Davis Esq., of the town and county aforesaid, with his sons James & John & Mr. Visson, the last armed with a Gun & John with a musket & screwed (?) Bayonet, followed by a large mob of sailors and others, some armed with Guns & others with Clubs, came to the Piazza of the said Alexander Gaston, where four of the town Justices were convened, and complained, that he the said James Davis, having gone to Col. Chariol's Barracks, with the Constable, to serve a precept on one of the soldiers, who, he said, was his son's apprentice, had been insulted by the Sergeant, who had refused to deliver up the boy; and demanded that the militia should be immediately raised, to take him by force. This being objected to, by the Justices, as unnecessary, he & his sons swore that if justice was not done him, they would take it themselves,

& spend the last drop of their Blood. He said the Liberty we had been fighting for so long was about to be taken from us by the damned French, desired the mob in the street to stand by him, & there would be Blood spilt before night, or words to that purpose; said he had been ill used, a long time, & when he applied to the Congress for redress, they threw cold water on it, when Col. Chariol (who had been sent for) came on the Piazza the said James Davis' sons slapt him on the shoulder & ordered him to Gaol for twenty four hours. This he said he would do by his own authority, & was advancing to slap him again, or to seize him when Col. Leech interposed, telling him, that certainly he could not mean to pass sentence as Judge, & be the officer himself to execute it, and by the persuasion of Abner Nash, Esq., he was prevailed upon to desist from imprisoning him. He often brandished his cudgel before the Colonel, as with an intention to provoke him, to say or do something that might exasperate the mob against him. After the Colonel had agreed to his requisitions, of delivering up the Sergeant & boy, the mob was dispersed, the said James Davis' son came to the corner of the street, near Mr. Ellis's where several prisoners were present & said the man was gone meaning the Sergeant & he could not get justice done him, & swore that he would raise a posse that night, and drive all the French out of town, & every one who favored them should share the same fate. The latter part he seemed to direct to the deponent upon which he desired they would take notice what he said. He afterwards had a warrant served on Colonel Chariol for absenting himself, who being brought before Joseph Leech & William Tisdale, Esqrs., he agreed to drop it on the Colonel's promising to advertise the Sergeant as a Deserter if he did not return.

ALEX. GASTON.

June 5th 1778 Sworn to before Mr. William Tisdale, J. P.

North Carolina Gazette, June 6, 1778.

To the Honourable James Iredell, Esq.; one of the Judges of the Superior Court held at Edenton, for the District of Edenton, on the first Day of May 1778.

We, the Grand Jury for the district of Edenton, return you our thanks for the Charge which you was pleased to deliver to us at the opening of this Court.

This Charge vindicates the conduct of the American States, in the establishment of Independency by arguments drawn from unreliable rights, and from real necessity, and grounded on incontestible facts. Every man who is not lost to the powers of reason and conviction, must feel their force, and must bear a very active testimony in support of them. It breathes a spirit of pure disinterested patriotism, and holds forth the most powerful incentives to persist in the opposition in which America has so successfully begun. It points out persuasively the importance of a faithful observation of the various political and relative duties of security, upon which the happiness of individuals, and of the whole, depends, and which will tend to give stability to our present constitution.

For these reasons, and as it may tend to invigorate the timid, rouse the indifferent, reclaim the disaffected, and call the united strength of the whole into exercise for the public good: We beg that your Honour would favour us with a copy of it, that it may be transmitted to the press and published for the information of those who did not hear it delivered. As we ask this not only for ourselves, but in behalf of the inhabitants of the district of Edenton, whom we represent, we flatter ourselves that you will give it to our solicitations, although you intended it merely as an exercise of official duty, and thought it not designed for a more extensive communication than to us the Grand Jury.

A Charge delivered by James Iredell, Esq., one of the Judges of the Superior Court, to the Grand Jury for the District of Edenton, on the second Day of May 1778.

Published at Their Request.

Gentlemen of the Grand Jury:

In compliance with a custom which has long obtained, and is probably founded on very good reasons, it becomes our duty to

address a few words to you previous to your entrance on the discharge of the important office you are now called upon to exercise by your country; an office of great consequence to the community, and of which too awful ideas cannot well be entertained. This court of justice opens at a most interesting period of the policy of this country. We have been long deprived of such from a variety of causes, in some of which we have shared with our brethren on the continent; others were peculiar to ourselves. The event however, has been unhappy and distressing, and every well wisher to his country must view with pleasure a scene of anarchy changed for that of law and order, and powers of government established capable of restraining or punishing dishonesty and vice.

Such powers have been established under circumstances which should induce to them peculiar reverence and regard. They have not been the effect of usurpation; they have not proceeded from a wanton desire of change; they have not been imposed upon you by the successful arms of a tyrant; they have been peaceably established by the public at large, for the general happiness of the people, when they were reduced to the cruel necessity (a necessity they abhorred, and did all in their power to avoid) of renouncing a government which ceased to protect, and endeavored to enslave them, for one which enabled them with a proper share of courage and virtue to protect and defend themselves. You had not only for years been injured, and insulted in the grossest manner; you had not only felt innovations in your government, which were as repugnant to justice as they were unwarranted by precedent; your petitions for redress, couched in the most humble and expressive (though not in the most servile) terms, had not only been rejected and spurned at, but when the crisis at last arrived for more vigorous exertions, or a mean and dastardly submission, and every hope of relaxation of the tyrannical system was fled, war was brought into your territories, and carried on with unusual circumstances of cruelty and vigour; the British nation imposes upon by the vilest lies to exert every nerve in their power; foreign troops were hired to slaughter a people who had never offended them, the Indian scalping knife was employed; and even the diabolical purpose, of arming our domesticks to involve us in one indiscriminate massacre was

openly and with triumph attempted. It was under these complicated circumstances of injustice, cruelty and insult, and with the just apprehension that these united efforts might overpower our own, if our opposition continued to be languidly supported with the reserve of subjects, that the once happy American Colonies, whose loyalty had been unexampled, and had been exerted in the most conspicuous instances; whose attachment to Great Britain was scarcely yet cooled by the numerous acts of oppression they had received from her; reduced to the melancholy necessity of choosing their fellow subjects for their masters, or of exerting those latent powers of resistance which Heaven and favourable circumstances had blessed them with; it was in this trying and painful situation that they resolved to sacrifice all old connexions, every favourite prepossession, and tear themselves from a country they would have bled to serve, but disdained to be enslaved by. It is known to us all how reluctantly this measure was adopted, and how ardently, until the moment when it appeared inevitable, we wished for a reconciliation with Great Britain upon those principles on which our opposition had all along proceeded; a wish that I can truly say (notwithstanding the base reports to the contrary) there is every reason to believe was almost universal.

But every thing that could be urged in our favour was disregarded. Our enemies proceeded from one extreme to another, until they brought about an event which fatally, and I trust has finally severed this country from the Dominion of Great Britain. Immense advantages have been lost in pursuit of a chimera, for such must ever the government of this country be, without the hearty support of the people. The profits of our trade, an inexhaustible and increasing source of wealth, we freely bestowed. Our allegiance to our sovereign was perfect, on the conditions of our charter. He had a negative on our laws, and the whole executive department of the state. This was a power sufficient for every useful purpose; we had no disposition to compliment him with any that was dangerous. We desired only the privileges of a free people, such as our ancestors had been, such as they expected we should be. We knew it was absurd to pretend we could be free, when laws might at pleasure be imposed on us by another people; a people who in many respects considered themselves our rivals, over whom we had no control, who were remarkably ig o-

rant of our circumstances, who had strong (I had almost said irresistible) temptations to lay burdens on us, in order to ease themselves. We knew of no right they could have to such a power. Our charters did not recognize it. It certainly was not in our ancestors' contemplation, who left that very country because freedom could not be enjoyed in it. Custom had given it no sanction, but on the contrary, strongly discountenanced it. It was reconcilable to no principles of justice, or even common decency, that we could form to ourselves. We despised the miserable application of a few political maxims, calculated for a single government, to the various and extended governments of the British empire, and which to this hour is the basis upon which all the fraud, iniquity, injustice, cruelty, and oppression that America has experienced from Great Britain have been defended.

We may be thankful to divine providence, that we were called into this contest, at a time when the principles of liberty were generally and thoroughly understood. The divine right of Kings was exploded with indignation, in the last century. Men came at length to be persuaded that they were created for a nobler purpose than to be the slaves of a single tyrant. They did not confine this idea to speculation; they put to death one king, and expelled another. This was done in England, the seat of our haughty enemies, who seem to think the right of resistance is confined alone to their kingdom. It is under this expulsion (for such it in fact was) that the present sovereign of that country holds his title to the throne. Whatever doubt there might have been entertained before, there could be none afterwards, and the family, who were seated upon the vacant throne by the voice of the people, held it liable to the same resistance which had provided the vacancy for them. Accordingly, ever since this glorious revolution, it has been considered by the generality of the kingdom, and is now almost a settled axiom in their government, that all government was instituted for the good of the people, and that when it no longer answers that end, and they are in danger of slavery, of great oppression, they have a right to change it. I lay it down thus generally, because the principle extends so far, and no man of reason and candor would attempt to narrow it. It is a principle founded in the clearest reason. It is applicable to all conditions and circumstances. It is not calculated for any party, or

one set of men, or to colour a particular Job. It affords universal relief to all who groan under any species of tryanny, and have the virtue and opportunity of resisting it. I trust, as it has had its influence under one species of arbitrary power in England, it will not want its effect under one, if possible, still more severe and detestable, attempted in America.

I confess, Gentlemen, when I speak on this subject, I cannot avoid expressing myself with warmth; that such great, such real advantages should be lost, in pursuit of no essential object, is a consideration extremely affecting. We can not help comparing, with a degree of regret and indignation, the former honourable and political conduct of the crown of Great Britain to the American Colonies, with that which has since been pursued. Happy in the enjoyment of liberty, in the formation of our own laws, in the grant of our own money, (subject only to a restriction we submitted to with pleasure, the negative of our sovereign) we felt a felicity that could only be equaled by the hardships with which it was originally obtained, and the mixture of filial and social gratitude with which it was enjoyed. Great Britain was the constant centre of our thoughts; her prosperity, the most ardent desire of our affections. We contemplated with a pleasure which no scene of human life perhaps ever gave occasion for before, the entire and cordial union of many distant people, descended from the same ancestors, possessed of nearly the same rights, endued with noble and generous minds, warm in their affection, and zealous in their attachment to each other, under the influence of one common sovereign, and by the participation of a common interest, mutually contributing to the prosperity of the whole; the authority of the sovereign, sufficient to preserve the whole in due order, but not to invade the liberties of any; all the branches of the great stock willingly resigning to the parent kingdom the absolute management of the only concern that could probably interfere with the general happiness, unless the minds of the people should grow irritated and discontented; which their exemplary loyalty seemed a sufficient guard against, except in the case of a just and severe provocation. And though we viewed such a scene at a distance, and indeed as almost a thing impossible (at least to happen in our day, never dreaming of men sacrificing real advantages to vain and visionary expectations) yet we had been too well instructed

in the principles of liberty to view it with unconcern. We blessed Heaven, that it had made us, not only a happy, but a free people. Our ancestors came here to enjoy the blessings of liberty. They purchased it at an immense price. Their greatest glory was, that they had obtained it for themselves, and transmitted it to their posterity. God forbid, that their posterity should be base or weak enough to resign it, or to let it appear, that the true British spirit, which has done such wonders in England, has been lost, or weakened by being transplanted to America. The very people who are now embruing their hands in the blood of Americans, in the support of the most arbitrary principles, have a thousand times bled in opposition to them, themselves. Will you entertain so wretched an idea, that you are not as worthy of liberty as they are, and that merely because your ancestors quitted England, though with the public sanction, and guaranteed for the secure enjoyment of freedom, you are less deserving of human blessings than those who happen to reside in it, and not even entitled to the common benefits of what the worst of men have a right to claim, the sacred observance of public faith? But in this contest, I will dare to affirm, the people of Britain sacrifice to their pride and ambition, not only the immense advantages I have already spoken of, but the first principles of liberty, which are the common right of all mankind, and the sacred ties of honour, which even the worst people cannot violate without infamy.

You will I hope excuse, Gentlemen, the particular, perhaps the too great particularity, with which I have gone into this subject. Yet I thought it my duty to point out to you some of the principles upon which the revolution in our government has taken place, and which, in my opinion, prove not only the propriety of its being effected, but the indispensable obligation we are under to maintain and support it. This can only be done by great public virtue, and very spirited exertions. We have a great and exasperated people to contend against; a people who, tho' they have wantonly thrown away many of their resources, have many still left, and are, no doubt, capable of powerful efforts. These must be withstood by great efforts on our part. Let us not flatter ourselves, that the war is nearly over, and that we are on the eve of enjoying the blessings of peace. Such ideas are pleasing,

but at present they seem to be chimerical, and certainly they are dangerous. They tend to throw us too much off our guard, and to lay us open to the artful designs of our enemies. Review the great scenes of history; you will find, mankind have always been obliged to pay dear for the blessings they enjoyed. This life may well be called a scene of trial, for vice has every where, and long been seen to triumph over virtue, but though the trial be severe, thank God, we have no reason to believe, it will be constantly unsuccessful. The struggles of a great people have almost always ended in the establishment of liberty. The enjoyment of it is an object, worthy of the most vigilant application, and the most painful sacrifices. Is there any thing we read with more pleasure than the sufferings and contentions of a brave people, who resist oppression with firmness, are faithful to the interest of their country, and disdain every advantage that is incompatible with them? Such a people are spoken of with admiration by all future ages. Their history is put into the hands of youth, to form them by a spirit of emulation, if possible, to equal their greatness of mind. Their posterity, for a long time (until the gradual corruption of all human affairs seizes upon them also) if they happen to be successful, which is generally the case, reap the benefit of their ancestors' virtue. Their souls glow with gratitude for the virtue and self denial of their forefathers. They consider them as patterns for their own conduct, on similar occasions, and are continually pointing them out to the reverence and imitation of their children. These are the glorious effects of patriotism and virtue. These are the rewards annexed to the faithful discharge of that great and honourable duty, fidelity to our country. On the contrary, what can we conceive more base and contemptible, than a set of men, careless and negligent of their rights, regardless of their value, indifferent to their preservation, mean enough to crouch under the first insolent menace, without spirit to defend, without virtue to deserve them, at length easily deprived of advantages which they might, without much difficulty, have secured, and which they are forced every instant to regret, with confusion themselves as the authors of their own and their children's misery, under the gloomy tyranny of a proud and arbitrary despot. I pray to God that the first character I have described may be that of America to the latest ages, and that

mankind never may be disgraced by the existence of so wretched and despicable a set of people, as in the last.

Remainder in our next.

North Carolina Gazette, August 14, 1778.

Wilmington District, June 11, 1778.

To the Honourable Saml. Ashe, Esq., one of the Judges of the Superior Court of Law.

Sir:

The Gentlemen of the Grand Jury beg leave to return their thanks to the Honourable Samuel Ashe, Esqr, for his sensible and seasonable Charge delivered them at the opening of this court, and request the favour of a copy of it for the press, that, if possible, its influence may be made as extensive as its matter is important.

Wilmington, June 12, 1778.

To the Gentlemen of the Grand Jury, for Wilmington District.

Mr. Ashe presents his compliments to the Gentlemen of the Grand Jury, and in compliance with their polite request transmits them a copy of his Charge; pleased that his crude thoughts, hastily thrown together, meet with the approbation of their respectable body, and will be happy if they should contribute a mite towards the wellfare of his country.

Gentlemen of the Grand Jury:

In every civilized State, to establish the peace of society, to preserve decorum among the people at large, and to protect individuals in their several rights, municipal laws, or rules of civil conduct, are formed, ordaining punishments to those who shall disturb the general peace of the community, or violate or intrude on the rights of individuals. These in different States are various, and with many the modes of punishing transgressors are variant and unfixed, depending upon the will of the Prince or Judge, both in the manner and measure of them.

But with us it is a felicity that crimes and misdemeanors have (according to their heinousness) known and affixed punishments, and nothing is left to the opinion or arbitrary will of the Judge; in a few cases only, a discretionary mitigating power may be exercised by him; for the same law which creates the offense, des-

cribes and apportions the punishments. And equally careful are our laws, in charging and trying offenders; the accusation in the first instance must be made by twelve at least of the Grand Jury for the district where the offence was committed, and by them formally presented to the court. The charge being thus made, the culprit is called up into court, and the truth of the matter again enquired into by twelve others, his neighbors, his equals, impartial, indifferent, and unexceptionable men; and this enquiry must be made in the presence of the accused, and the witnesses against him produced and openly examined in his presence and he at liberty to cross examine them, to confront them with witnesses in his favour, to lessen or refute their testimony, and otherwise to offer matter to justify, excuse, or acquit himself. By thus fairly and openly canvassing the charge, the party, if guilty, is detected and punished; if innocent, is protected, and placed beyond the reach of persecuting malice, or oppressive falsehood.

Sensible of the advantages resulting from this invaluable right of a tryal by Jury of the vicinage, a right (often struggled for by our ancestors, and handed down by them to us) we have so interwoven in our present happy and equal system of Government, that no citizen can be denied, nor be deprived of it, but with the constitution. But this inestimable privilege, with others equally so, the iron hand of unfeeling British tryanny, upon iniquitous and ill founded pretentions, would tear from us, and substitute instead of it a mode of proceedings, framed by the united and stretched invention of cruelty and tyranny combined.

By that, perhaps the innocent, but unhappily suspected person, shall be seized, dragged from his friends and nearest connexions, thrown into the noisome hole of a vessel, loaded with irons, and at the risk of his life transported three thousand miles over sea to Great Britain. There, probably, without money to sustain him, without friends to comfort him, without counsel to advise him, without witnesses to testify for him, and without his neighbours to try him; perhaps too, only upon the information of an Attorney General (always a creature of the court) filed against him, he shall be arraigned before a court and jury unacquainted with every circumstance of the charge, and equal strangers to the malignancy and design of the persecutor and disposition of the accused. In this situation, and thus circumstanced, innocence

itself must fall a victim. This short contrast of the two measures must at once fill our minds with horror of the one, and our breast with the glow of zeal for the other; and determine us to try every effort, to perpetuate the first, and reject the latter.

Gentlemen, the office of Grand Jurors for this district at this time assigned you, I have the fullest persuasion your principles and inclinations (were you not under the sacred obligation of an oath) will lead you to an impartial execution of.

For me to point out to you the particular business of it, or to enumerate the several offences which fall under your cognizance, is unnecessary, and would be tedious and irksome both to you and myself. Let it suffice that I acquaint you, that crimes and misdemeanors of every denomination, from the highest to the lowest nature, from treasons against your state to trespasses against the poorest individual of the State, committed in this district, are presentable by you.

A few matters only I will mention to you, and these are misprision of treasons against the state, and offences affecting your public bills of credit, as well those emitted by the General Congress, as those emitted by the several Congresses of this State; and as the causes of the acts of the General Assembly relative to them describe them more fully than I can, I will read them to you. Clauses read.—

The mischievous and wicked tendency of those under the first class, and the injurious and ruinous consequences, as well to the public as individuals of those under the latter, and the frequent repetition of both, make it necessary to attend to them. The first are practised by men, nested in our bosoms, who, did their resolutions keep pace with their inclinations it is not doubted would commit crimes of the first magnitude against us; but not daring to avow their intentions, to unmask an act openly, they (like Satan at the ear of Eve) whisper their lies, insinuate their falsehoods, and spread dispiriting news, in order to pervert the weak, intimidate the fearful, unsettle the minds of those not perfectly stable, and to seduce the people generally from their allegiance to the State.

This perfidiousness certainly merits punishment. But in considering offenders, gentlemen, your good judgment and prudence will discriminate between the proper object of presentment,

and the man who only related the false news he had heard, or spoke his opinion, or disclosed his political sentiments to his friends or acquaintance, without any mischievous design: To involve the one with the other, would be an act of high injustice, which I am sure you would at all times and upon every occasion carefully avoid.

The mischiefs under the 2d class are many and great, and in their consequences equally destructive to the public, as ruinous to individuals. It is unnecessary to enlarge on them, for they are obvious. The perpetrators of them by their villainous frauds and deceptions, covered under the specious shew of fair and honest dealing, impose on the ignorant, and rob the industrious of their well earned property; and unfeelingly perhaps at once introduce poverty, where plenty had prevailed. The man who forceably robs on the highway, wears not so deep a taint of guilt, as these dark, disguised avaricious insidious villains.

Nor does the evil cease with the ruin of the private; it reaches the public, and in its consequences may prove equally baneful to it. These bills are our money, they have enabled us hitherto to support our Government, maintain our armies, and to defend ourselves for three years past against one of the first powers of Europe. To counterfeit them, is to depreciate them: and to take away their credit, is to destroy them, and with them perhaps our political existence. Our enemies, sensible of this, and unable to prevail by arms to subdue us, have stooped from the bravery of the soldier to the base frauds of common cheats: they too have counterfeited the continental bills of credit, and industriously, by their emissaries, circulated them through the United States. Should your inquiries discover the avaricious villain, or the secret and dangerous emissary, I am sure you will cheerfully render your country the essential service of dragging them into the light.

Gentlemen, give me leave now, before you retire to business, to address a few words to you in another character: As citizens of a free, but young State, struggling in defence of her liberties, and in support of her rights, against powerful invaders. In such a conflict she necessarily requires the aid of all; and each one, in every department, should with alacrity step forward to her assistance. When the hive is attacked, the drone alone remains inactive in his cell. The learned Montesquieu observes, that

"Republican government must be preserved by the virtue of the citizens, and defines that virtue to be love of the laws and of our country, and as this love requires a constant preference of public to private interest, it is the source of all the particular virtues, for they are nothing more than this very preference itself; that government is like every thing else; to preserve it, we must love it; that every thing therefore depends on establishing this love in a republic."

When I consider the force and truth of these observations, and compare them with our present apparent disposition, I confess I am pained; and when I consider our present temper and conduct, and compare them with our past, I lament our depravity. When the accursed plan to enslave us was first formed, and ready to be enforced against us, a noble spirit animated us, our resentment kindled, every age and order of men glowed with zeal; each became emulous who should succeed in resisting the encroachment; to effect it, all seemed determined to venture every thing; no danger was thought too hazardous, no difficulty was great. Then were companies formed and trained in every neighbourhood, and small parties in each street, and individuals in every house, were eagerly acquiring the military discipline. The example was forcible, our youths catch noble passion, nay our children of a few years old imbibe it; they too were seen with their little implements, the semblance of arms, attempting the art. But alas! how are we changed of late; that noble spirit no longer inspires us, the Celestial fire is extinguished, the flame ceases, it glows no more, we have suffered a fascinating spirit of avarice and extortion to take place instead that now possesses us, and seems wholly to engage our attention. Lamentable defection! Strange infatuation! Can we think the eager pursuit of riches will preserve us, or accumulated wealth protect us from invasion? Or is there no danger, because the enemy are not instantly at our doors? The ideas are absurd—the expectation of gain will entice, and the hopes of confiscation allure them, and a few hours sail may waft them to our doors. But that is not necessary to a conquest of us. Our fate is inseparably linked with our sister states. If they fall we perish. America united, must stand or fall together. We have reason to believe the enemy are collecting their full force, that they will shortly make their last grand effort, but where we

know not. Congress, whom we have always found wise and watchful, hath warned us, and advised us to be on our guard, nor to remit of our military preparations. Prudence also directs us to this. To be prepared and determined to repel, is almost effecting the repulse.

It is true they have circulated among us copies of their minister's speech, and bills for an intended reconciliation—but the flimsy covering will not conceal their true design. They are held forth to amuse us, to lull us into security till they recruit, and reinforce their shattered army, but we discover their perfidy, and will not confide in their promises. The judicious animadversions of Congress sufficiently expose their fallacy, and prevent my further observations. But though they augment their Troops, though they again sweep Germany for recruits, if we are not wanting to ourselves, if we desert not our own cause, we need not be discouraged; America united, active and determined, will prevail. For God's sake then let us rouse from our supineness; let that spirit which at first animated us revive, and let us endeavour to transfuse it through the circles of our acquaintance in our several counties and neighborhoods. The prevalency of example may extend it, and all America may glow again. Let the love of our country rise superior to the turpid and base passion for gain. In a word, let us adopt an equal spirit, an equal love of liberty and firmness, with the brave Corsicans, who, oppressed with Genoese tyranny, in their military oath, thus solemnly swore: "That we will sooner die than enter into any negotiation with the republic of Genoa, or return under its yoke."

"That if the powers of Europe, and the French in particular, withdraw their compassion from an unhappy people, should arm themselves against us, and concur in our total destruction, we will repel force by force; we will fight like desperate men, determined either to conquer or die,'till our spirits are quite exhausted, our arms fall out of our hands;and when we have no strength to take them up again, when all the resources of our courage shall be exhausted, our despair shall furnish us with the last, which shall be to imitate the famous example of the Saguntines, by rushing voluntarily into the fire, rather than submit to the unsupportable yoke of Genoese tyranny and slavery."

A great example and worthy imitation: But, God be thanked, better prospects await our exertions. Heaven smiles on our

cause, and most of the powers of Europe favour it. The King of France, with true greatness of soul, with the magnanimity becoming a great Prince, taking no advantage of the necessity of our affairs, or requiring any unfavourable or dishonourable terms from us, has generously taken us by the hand, and pledged us his protection. This must at once confound and embarrass our enemies, and I doubt not if in this conjuncture we oppose them with vigour and alacrity, and every where show a determined temper, it will, after a few efforts, close the scene with regard to us. They must turn their arms from conquest to defence.

Gentlemen, you will, I hope, excuse my traveling out of the line of Business for which you have been summoned here at this time. I will not detain you longer than to mention, that though every matter which may come under your deliberations may be determined by a majority of you, yet that majority must consist of twelve at the least, for that no bill ought to be presented but where twelve or more agree.

CAPT. JOHNSTON FROM FRANCIS LOCK.

[From MS. Records in Office of Secretary of State.]

June 12th Day 1778.

Dear Brother, after my Best Compliments to you & your family I send you the List with the Bearer of James Forbush & Sundry others to the amount of one hundred & three persons. I told them that I could not take their Retourn as you ware the Commanding officer of that Company. They have Seen that you Refused to hold any alection I am apt to believe that you may point out where they have mistaken them Selves, if you could aney wayes attend in Salisbury on the 16th day of this instant but if you can not attend your Lieutenant Can to Show the Onresebellness of their power to hold any Such Election. You are to Set Down the Eage; Sise, Complackson and Ocpeseon of the draft; you are to prepotion the Cloathen amonst your Company and let Every man know what part to Rease & upon this their failer or refusel in that Case I have to Send a warnt against Souch failler that will reas it of their goods You will Send their List Down as soon as you Can. This is all from your Humble Servt.

FRANCIS LOCK.

EXTRACT FROM

A Weekly Return of the Continental Army Under the Command His Excellency George Washington, Esq'r, General and Commander in Chief of the Armies of the Independent States of America.

[STATE DEPT. U. S. WASHINGTON PAPERS, ARMY RETURNS.]

| Camp June 18th, 1778. | | | | | BRIGADES. | | | | |

EXTRACT FROM SUPERIOR COURT RECORDS OF CRAVEN COUNTY.

June 15, 1778.

Whereas proper Scitations Hath been issued against John Lovett, John Osteen, Wm. Osteen, John Pigott, Samuel Green, Senr., Jesse Weeks, Richd. Lanskistie, Thos. Freshwater, Abner Wallis, Lovet Green, Edward Weeks, James Pigott, Benj. Tanner, Richd. Hatchel, Solomon Davis, Willeby Caps, Ezekiah Diah, Campbell Miller, David Bell, John Milson to appear and take the oath Prescribed by law; they failing so to do,

Ordered that they appear before Kittriel Mundine, Esq., and Take the oath of this State and pay the officers' fees for the several Scitations or otherwise Depart this State within Sixty Days, agreeable to the Laws of this State.

MR. THOMAS HENDERSON TO GOV. CASWELL.

[From MS. Records in Office of Secretary of State.]

Guilford, 18th June, 1778.

Sir:

I am called upon by Captain Rhodes of this County to write to your Excellency informing you of some disputes that hath arose in his Company, in balloting for soldiers under the late Act of Assembly, to go to the Northward, the particulars of which I beg leave to write to you at large, to the best of my knowledge & information. Capt. Rhodes, pursuant to the Law and agreeable to his orders from the Colonel (at the Day appointed) convened his Company, and as there were not volunteers enough turned out to make his Quota of men, they proceeded to ballot & choosed two men, who since by a Court Martial held by the Militia Officers, were cleared from their draft, under a pretense that they had enrolled their names with some other Captain before the

Day of balloting. One of these men is one of the Majors of this County, the other a private person who never was called upon to muster before that Day. They both live in Capt. Rhodes' District, & I am authorized to assure your Excellency that they never were entered in any Captn's List until the Day they were balloted. What Capt. Rhodes desires to know of you, Sir, is whether they had not a right to ballot these men (when living in his district) and whether the Court Martial had any right to give them a Discharge afterwards. Your Excellency's sentiments on the matter by the bearer (Ezekiel Thorp) to Capt. Rhodes will Oblige, Sir,

Your Dutiful & Very Humble Servt.,
THOS. HENDERSON.

[From MS. Records in Office of Secretary of State.]

Col. Chariol, New Bern, to His Excellency Rich'd Caswell, Esqr. Governor of the State of North Carolina at Dobbs

June 20th 1778.

Excellency:

Yesterday I received one Letter from the Lieutenant Colonel who stays in Charles Town. He purposed to me to engage great many Soldiers there if I send money, consequently I pray your Excellency to favour me of one Letter of Credence on the Governour of South Carolina amounting to £2000, What sum you please to deduct on the £1000, granted by the assembly for the raising of my Regiment. The lieutenant Collonel asked my the Commission of Major for M. marquis deBretenil, that of Lieutenants for Mr. Joseph Philippe.....and that of surgeon for M. Joseph Roberdeau, that I Expect every moment with 15 or 20 recruits. I send to you the List of those who are now in the Cazern; Whose 4 or five had been Sick, and cured by the Dr. Gaston. I send to your Excellency the receipt of the £2000 granted by your favree. I pray you to send the other £1000 for the..... account, and if the money is arrived send me if you Please 2 other Thousand pounds because I want to send in Edenton and Wil-

mington I dispatched 1 in Halifax one C_____to Bring in New Bern What we want for the regiment. I am the most Respectfully of your Excellency, the most devoted and obedient Servant,

CHARIOL, Colonel.

COLO. CHARIOL TO GOV. CASWELL.

[From MS. Records in Office of Secretary of State.]

Excellency:

Whereas the Colonel's letter has not brought to me your answer upon the different objects which I have asked to you, I send the Captains Sanbeaux to present you that I have taken in master Sitgreaves' Store the articles here inclosed, which I found necessary for my regiment, according to the order which you give to him.

I don't take upon my own account to settle the value of cloths. I think that you will fix it, or master Evey by your orders. About twelve days ago the said Captain Sanbeaux have been to Halifax to look for the most useful tings, and he have been obliged to come back without. Since two months I longing for that as for the money, which I expect every day to pay the officers as the soldiers; that hinder me from my recruits. You will be very much surprised that I am laying till now the paymaster commission. I have follow master Nashes advice, who told me to propose to you master Sitgreaves, who I am certain will fill it up with zeal. I hope that it will be agreeable to you. Be so kind to send at me the doctor's commission. I was mistaken in my last letter; its name is *Bodin*. I wish that you send it to me as soon as you could. I want, too, to send in to Charlestown three officers' commissions, which I have asked to you. I desire that you choice to give me a credit letter or for the sum of two thousand pounds. The said sum will be employed in Charlestown by my Lieutenant colonel. To desist, you will oblige me much if you send to me 1,000 pounds for the warrant which I have send to you. I request your answer, and I hope that you will satisfy to my demands. I am, with consideration,

Your most humble and obedient Servant,

CHARIOL, Colonel.

Be so kind to present my compliments to your family.

In Newbern, June 21st, 1778.

COL. COGDELL TO GOV. CASWELL.

[From MS. Records in Office of Secretary of State.]

New Bern, 22nd June 1778.

Dr. Sir:

Your much esteemed favour of yesterday date I rec'd. Your condescention in making an apology for not writing by Col. Lock is Very Obliging, and believe me Sir I do not attribute it to any unfriendly cause. I shall always think it an Honour to deserve your Excellency's remembrance, and receive your Letters with singular pleasure as from a sincere friend, whose long life and Happiness, I feel myself Very much Interested in. I should set but little Store by Life without friends of Integrity, not such as your Discription points at.

The Southern Post brought no Papers this Week nor have any Occurances happened Since my last. If any should happen worth notice I will communicate them. I have received nothing by Post for your Excellency this week. If any should come to my hands will forward them as soon as possible. I sent your Virginia papers by Mr. Caswell, and I inclose you a Baltimore paper in which it appears all the largest prizes in the State Lottery are drawn. I can't find any fortunate Numbers in the Tickets I sold except one which was sold to Ebenezer Fulgum (No. 37,074) 500 Dollars. Pray is it not necessary that some advice should be sent about our Intention, of continuing Our Numbers in the Second Class? I wish you would give your opinion upon that Matter, as it will be necessary to be in Time. I would advise you to go down to Coresound, See Capt. Tilman and his Fort, Drink some salt watter's which I think might be of service & remove the Compt. you mentioned. I will wait on you there if you will permit me.

My family are in Health and Mrs. Cogdell Joins in Respectful Compts to Mrs. Caswell, Miss Caswell, &c. I am Sir

Your Excellency's Obliged friend & Obed Servant

RICHARD COGDELL.

His Excellency Richard Caswell, Esqr., Governor.

Mr. Cobb had no paper this week.

MR. FEW TO HIS EXCELLENCY RICHARD CASWELL.

[From MS. Records in Office of Secretary of State.]

New Bern, June 22nd 1778.

Sir:

Colo. Chariol told me you would be so kind to help me settle my affair. I should be very Glad Sir, you would let me know what is the best of my way to do to have that miserable affair settled; I shall remember you forever. Please to let me know by Mr. Shanbeef. I am Sir,

Your most Obedient
FEW.

North Carolina Gazette,

Newbern June 26, 1778.

On Wednesday last, the great eclipse of the sun, as calculated by astronomers in the almanacks, and said to happen in this latitude, and be visible here, was observed with great attention, and some surprise to the ignorant, the weather being tolerably clear, and the moon's passage over the sun's disk being distinctly seen during the whole immersion. This was the greatest eclipse of the sun ever seen here by the eldest people now living among us, and exhibited a scene truly awful. The gradual obscurity of the sun, the decrease of her light, the sickly face of nature, and at last the total darkness which ensued, the stars appearing as at midnight, and the fowls seeking for their nightly shelter, caused a solemnity truely great, and, tho' proceeding from a natural cause, the moon's passing between the sun and our earth, which she must necessarily do in certain periods in different latitudes, was beheld with astonishment and gratitude to the supreme Ruler of the universe, by whose almighty power the motions of such vast bodies are regular and uniform, and the delightful system of the world kept entire and complete.

COL. THOS. POLK 4TH N. C. REGT. TO GEN. WASHINGTON.

[WASHINGTON PAPERS, ARMY RETURNS, VOL. 17.]

MAY IT PLEASE YOUR EXCELLENCY:

From the earliest Commencement of the present War, I have been actively engaged in the services of my country. I embarqued in it at so early a season as rendered me not a little obnoxious to a vast majority of the Province in which I lived. The timid, the Friends of the established Government, & the moderate, as they were called, at that Period composed the bulk of the Inhabitants—by them was my forward zeal universally condemned. Thro' innumerable difficulties, from opposition, & inconveniences to my private interest, in the militia and regular service, I continued my efforts for the public good, and doubted not, as I had done more of this kind for the defence of the State than any other member of it, that I had deserved well of my Country; but as soon as an opening for promotion was made by the unhappy fall of Gen'l Nash, the power of a party, overlooking the merit of these services, procured a recommendation in favour of a Junior Officer. Such a flagrant demonstration of partiality and injurious preference, without alledging a single article of disqualification against me, has determined me no longer to serve my ungratefull country in so painful and so hazardous a capacity.

I rejoice in the prosperity of my country, and am willing, on every occasion, to aid the advancement of its Interests, but choose not to obtrude my services.

For these reasons I am constrained to offer your Excellency my Commission in the Army, and humbly beg that you would kindly condescend to accept it.

I am, may it please your Excellency,
with the profoundest respect,
Your Excellency's most humble,
most obedient, and most devoted Servant,
THOMAS POLK.

Mecklenburg County,
in the State of N. Carolina,
June 26, 1778.

His Excellency Gen'l Washington, Commander
in Chief of the Armies of the United States.

North Carolina Gazette, June 26, 1778.

Advertisements.

Notice is hereby given, that, agreeable to an act of assembly passed last session, a court house for the County of Orange, is to be built in the town of Hillsborough; and the Commissioners having determined to build the same, with brick, any person willing to undertake the same, will be treated with by applying to,

NATH. ROCHESTER,
WILLIAM COURTNEY, } Com.

Hillsborough, June 13.

[JOURNALS OF CONGRESS, VOL. II, PAGE 615.]

Saturday, June 27, 1778.

Powers of the States to their Delegates to ratify the Articles of Confederation.

"North Carolina. State of North Carolina.

In Senate, 25th of April, 1778.

To his Excellency Richard Caswell, Esq., Captain General, Governor, and Commander in Chief, &c., &c.

Sir:

The two houses of the general assembly have taken into consideration the confederacy proposed to the United States by the Continental Congress, and have unanimously acceded thereto, and request your excellency will be pleased to inform the president of the Continental Congress thereof by the earliest opportunity.

WHITMILL HILL, S. S.
JOHN WILLIAMS, C. S.

By order,

J. Sitgreaves, C. S."

GOV. RICHARD CASWELL TO COL. BLAND.

[The Bland Papers. Vol. I, Page 89.]

Dobbs 29th June, 1778.

Sir:

I had your favour of the 20th instant handed me this day by Capt. Medici, whom I would most willingly supply, agreeable to your request, if it were in my power, but such are our finances at present, that the sum necessary for him cannot by any means be advanced. We have lately been disappointed in receiving money from the continental treasury, and I am much distressed thereby, having, in full expectation of having it reimbursed, borrowed considerable sums for public use on my own credit; such is the case, and if the public service is retarded in this instance, I wish it may prove the only one occasioned by Congress failing to supply this State with the necessary sum required. I was impowered by the Assembly to draw on the continental treasury for 300,000 dollars to defray the expenses of raising and marching men from this State to complete our continental battalions; I did so, and sent on for the money; the messenger waited at York upwards of twenty days, and then returned with one-third of the sum drawn for, which will not pay more than the bounty of 1000 volunteers, when 2600 and odd were ordered to march. I ask pardon for troubling you with this state of the matter, but 'tis to show how deficient we are in the article of cash.

I am, with great respect, Sir, your most obedient servant, &c.,

R. CASWELL.

JOHN ADAMS TO GOV. CASWELL.

[From MS. Records in Office of Secretary of State.]

Newbourn, June 30th 1778.

Sir:

I present my duty to your Excellency and the gentlemen of the Council And beg of your Onner to bee so kind as to take My case in Consideration as I am a pore prisoner At this time in the hands of you gentlemen and Will Inform your Excellency and the gentlemen As near as I can how I came in this Situation. I was bound from St. Croix to North Carolina in a Schooner belonging to Mr. Nathaniel Cruger in St. Croix and was taken the Eight of last january at Night by the Galatia Sloop of War Mounted with twenty Guns And was kept on board one month and a half, a Prisoner then was Carried to Augusteen and thar Landed as a prisoner and whas thar much the Same time and now take the liberty to Inform your Excellency and the gentlemen of the Council How I came in the Sloop my being there and know Employ for Sea fearing people and know Money and they whanting Men was foursed on Board against my will for I always Regarded a Merna and always will and am willing to take The State ought and always bee a true friend to The Cause I beg your Excellency parden and the gentlemen of the Counsal for taking the liberty to right but I thought it was my duty so to due Theare is several Versails here wharnts Men and shall Bee Very glad to serve the gentlemen of the town And beg of your Excellency to Releas me from The jale and shall always acknowledge miself a True friend.

JOHN ADAMS.

LIEUT. JOHN McNEES 5th REGT. TO GOV. CASWELL.

[From MS. Records in Office of Secretary of State.]

Camp Quanky, July the 2nd, 1778.

Please Your Excellency

Sir:

I understand by the new arrangements that the Governor and Counsel is to Direct and point out the officers that shall March to Head Quarters aud as I have not been thare I am very Desirous to go. If His Excellency will please to appoint me I shall Take as a singular favour done me, If I should be left out I think I shall Not Be used well because I have a great desier to see Head Quarters and as it lies in the power of the Governor and Counsel to Direct I hope they will Not Leave me out. Sir, I am

Yours To Serve

JNO. McNEES.

North Carolina Gazette, July 10, 1778.

State of North Carolina.

By his Excellency Richard Caswell, Esquire, Governor, Captain General, and Commander in Chief of the said State.

A PROCLAMATION.

Whereas it is absolutely necessary, for the service of the State, that the General Assembly should meet at a shorter Day than that to which it now stands adjourned, I have therefore thought fit, by and with the advice of the Council of State, to issue this my Proclamation, hereby requiring the Members of the General Assembly of the said State to meet at the town of Hillsborough on Monday the third Day of August next, then and there to consult on the weighty and arduous Affairs of the said State.

Given at Kingston, under my Hand and Seal at Arms, the 4th Day of July, in the third year of our Independence, Anno Domini 1778.

RICHARD CASWELL.

By his Excellency's command,

J. Glasgow, Sec.

God save the State.

HON. JOHN ADAMS TO GOV. CASWELL.

North Carolina Gazette, July 10, 1778.

Newbern, July 10, 1778.

On Saturday last, the ever-memorable Fourth of July, the Rising States of America entered the Third year of their Independence, in spite of numerous fleets and armies; in spite of tomahawk and scalping knife; in spite of the numerous wicked and diabolical engines of cruelty and revenge, played off against us by the magnanimous and heroic, humane and merciful George the Third, the father of his people, and his wicked and abandoned soldiery. On this day, the bright morning star of this western world arose in the east, and warned us to emerge from the slavish tyranny and servile dependence on a venal and corrupt court, and to assume to ourselves a name among nations, a name terrible to tyrants, and wrote in indelible characters by the Almighty as a refuge from persecution. This day was observed here with every possible mark and demonstration of joy and reverence; triple salutes were fired from the batteries in town, and on board the ship Cornell, and the privateer brig Bellona, belonging to this port, the gentlemen of the town met, where many toasts suitable to the importance of the day were drunk and the evening happily concluded.

By several accounts from Head Quarters, it seems to be well authenticated that the British troops have evacuated Philadelphia, and that our army are in possession of it.

EXTRACT FROM

A General Return of the Continental Army under the immediate Command of His Excellency George Washington, Esq'r, General and Commander in Chief of the Armies of the Independent States of America.

[U. S. State Dep't, Washington Papers.]

BRIGADES.	New Brunswick, July 4th, 1778.	No. Carolina.			
Officers Present.					
Field.	Colonels.	*	2	*	*
	Lieut. Colonels.	*	2	*	*
	Majors.	*	1	*	*
Commissioned.	Captains.	*	9	*	*
	1st Lieut's.	*	2	*	*
	2nd Lieut's.	*	9	*	*
	Ensigns.	*	11	*	*
Staff.	Chaplains.	*	1	*	*
	Adjutants.	*	2	*	*
	Pay Masters.	*	2	*	*
	Quart'r Masters.	*	2	*	*
	Surgeons.	*	1	*	*
	Mates.	*	1	*	*
Non-Commissioned.	Serg't Majors.	*	2	*	*
	Qr. Mr. Sergeants.	*	2	*	*
	Drum Majors.	*	1	*	*
	Fife Majors.	*	1	*	*
	Sergeants.	*	30	*	*
	Drums and Fifes.	*	24	*	*
Rank and File.	Present Fit for Duty.	*	514	*	*
	Present.	*	25	*	*
Sick.	Absent.	*	438	*	*
	On Command.	*	228	*	*
	On Furlough.	*	7	*	*
	Total.	*	1212	*	*

ALEX'D. SCAMMELL, Adjt. Gen'l.

EXTRACT FROM

Return of the Continental Army, under the Immediate Command of His Excellency George Washington Esq'r. General and Commander-in-Chief of the Armies of the Independent States of America.

[U. S. State Depar't, Washington Papers Vol. 101, p. 25.]

Right Wing.

Paramus, July 12th, A. D., 1778.	Officers Present.																Rank and File.				Wanting to Complete.		Alterations since Last Return.							
	Field.			Comm'd		Staff.					Non-Com'd.												Dead.		Discharged.		Deserted.		Sent to the Corps of Inv.		Promoted.		Joined
BRIGADES.	Colonels.	Lieut. Colonels.	Majors.	Captains.	1st Lieuts.	2nd Lieuts.	Ensigns.	Chaplains.	Adjutants.	Pay Masters.	Quarter Masters.	Surgeons.	Mates.	Serg't Majors.	Qr. Mr. Serg'ts.	Drum Maj'rs.	Fife Majors.	Sergeants.	Dr. and Fifers.	Present Fit for Duty.	Sick Present.	Sick Absent.	On Command.	On Furlough.	Total.	Sergeants.	Drums & Fifes.	Rank & File.	Sergeants.	Drums & Fifes.	R. & File.	Sergeants.	Drums & Fifes.	R. & File.	Sergeants.	Drums & Fifes.	R. & File.
* *	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*				*	*	*	*	*	*	*	*	*
* *	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*				*	*	*	*	*	*	*	*	*
North Carolina.	1	2	1	10	2	9	14	1	2	2	2	1	1	2	2	1	1	31	24	606	29	433	128	7	1203				2									
* *	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*				*	*	*	*	*	*	*	*	*
* *	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*				*	*	*	*	*	*	*	*	*

ALEX'D SCAMMELL, Adjt. Gen'l.

North Carolina Gazette, July 17, 1778.

Newbern, July 17, 1778.

The cruizers are yet very troublesome on our coast, having lately cut several vessels and small craft out of Roanoke and Currituck Inlets. Besides Capt. Goodrich, there is a Capt. McLean, a little Scotchman, well known here, cruizing off our Inlets; he has taken several of our vessels, and thus, exultingly, with Scotch gratitude, returns the many and singular favours and polite treatment he received here.

CAPTAIN COSMO MEDICI TO COLONEL BLAND, AT PETERSBURG, VIRGINIA.

[From Bland Papers, Vol. 1, page 97.]

July 18, 1778.

Sir:

I embrace this opportunity, by an officer on his way to the northward, to acknowledge the receipt of your letter. I shall pay all due attention to its contents, though I am much afraid the clothing for the men will not be got ready so soon as their saddles. However I shall take pains in order to forward them agreeable to your order. I shall be glad how soon, sir, you could furnish me with money as I have it in my power at this time to get both men and horses. I am, most respectfully, sir,

Your most obedient, humble servant, &c.,

COSMO MEDICI.

MESSRS. R. AND AND JAS. ELLIS TO DR. THOS. BURKE.

New Bern July 20th 1778.

Dr. Sir:

Your kind favour to R. E. came to hand & he returns you thanks for your polite offer of a room in your house. However strong his Inclination may be of accepting it 'tis entirely out of his Power at present to go to your Quarter of the World at this busy time, being engaged in fitting out a Privateer in order to

retàliate if possible for the many Losses we have met with in the Navigation way during this war. Inclosed you have an acct. of the things ordered; the amt. you can pay when convenient.

We congratulate you on the late agreeable news. Besides what is contained in the enclosed there is a letter in Town from one Commasee, a French Gentn. informing the Fleet has left the Deleware, that the Enemy who undertook the absurd march through the Jerseys carried only 10 days Provisions with them & that our men had nearly surrounded them. We are Dr. Sir,

Yr. obt. Servts.

R. & JS. ELLIS.

To Thos. Burke, Esq.
Tyaquin.

LT. COL. JAS. THACKSTON TO COLO. JAMES HOGUN OF THE 7TH NORTH CAROLINA BATTALION

Or the commanding officer at Halifax in North Carolina.

By Sergeant Conner.

Camp Near Peytonsburg July 21st 1778.

Dear Colo:

I received your favor of the 22nd of June covering the resolves of Congress. I have been waiting for some time since with great anxiety to receive your further orders. Never was any man I believe put to it than I have been ever since I came to this place to get the troops supplyed with provisions. I expected before I arrived that the Virginia Commissary of Purchases had certainly laid in a store sufficient to supply us during our stay, but to my great mortification, when I arrived I found not one ounce of provisions, nor a Commissary could I hear of any where near. Of course I was obliged to appoint a Commissary, to purchase what he could get for his receipts, by which means we have lived till now, when the country around the Camp is entirely draned of what little flower and Indian corn it had to spare; wheat there is none but what is just reaped and the planters are so busied with their crops that they can't be prevailed on to thrash out one single bushell, for which reason, I am obliged this day to move my camp to Dickes ferry on Donn River about Twenty-five miles back towards Hillsborough, where I am informed there is Indian meal and beef in plenty to be had for the Troops, at which place or

near it I shall wait your further orders. I have enclosed you a return of the Troops at present under my command and am Dear Colonel,

Yr Very obt. Hble Servt.
J. THACKSTON,
Lt. Colo.

P. S. I have received a letter from Col. Davidson soliciting me to entreat you to forward to him the paymaster, his Troops he writes me have not received their Bounty and are very uneasy. If you can do any thing for him in this particular, it will merit from him and you shall have the thanks of

Yr. obt. Servt.
J. THACKSTON,
Lt. Colo.

North Carolina Gazette.

July 24, 1778.

Since our last, arrived here the ship Harmony Hall, Capt. Alderson, from France, who reports, that while he lay at L'Orient in France, Capt. Jones, in a 20 gun ship belonging to the United States, arrived there with an English twenty gun ship which he had taken in the channel, and that he reported, that just before he went into White Haven in England, and at low water, set near 300 sail of ships on fire, which were all consumed, as they lay aground in tiers; and that he also plundered Sir. James Lowther's house of considerable value in plate.

North Carolina Gazette, July 24, 1778.

Advertisements.

Mr. Joseph Blythe has opened school in the public school house, and will teach Latin, English, Arithmetic, Geography, Geometry, Trigonometry, and several other of the most useful branches of the Mathematick, according to the best and most approved methods. Gentlemen and ladies who favor him with their children may depend he will be diligent, and pay proper attention to their education.

Newbern July 24.

NORTH CAROLINA GAZETTE, July 24, 1778.

On Thursday the 6th of August, will be sold to the highest bidder for ready money:

The ship Harmony Hall just arrived from old France, a prime sailer of 200 tons berthen and compleatly fitted for sea. Also her cargo, consisting of salt, cordage, sail duck, cables, cloths, tea, nails, printed linens, hankerchiefs, nankeens, and sundry other articles.

J. W. STANLY.
T. & T. OGDEN.

NEWBERN, July 24.

JONA DUNBIBIN TO WILLIAM HOOPER ESQ. MASENBOROUGH.

[FROM MS. RECORDS IN OFFICE OF SECRETARY OF STATE.]

WILMINGTON, July 28th 1778.

SIR:

I have taken the liberty of inclosing to you an affidavit concerning a Claim allowed by the last Congress that was held at Halifax the sum £24——some odd shillings and pence that I cannot recollect but will appear by the record of the claims allowed at that time, which you will do me a singular favor if you would have it renewed as the Claim is not to be found and I have been a considerable time out of the money. I inclose you Mr. Johnston's Letter which certifies he has rec'd no such Claim. I shall likewise get a line from Genl. Ashe to the same purpose and forward to you. I have also inclosed a Claim for £25 in lumber taken by the Publick to make Camps for the Soldiers at Jump Run. This claim I produced at Halifax to the Committee of Claims and it would have been allowed had it not been for Mr. Persons who was one of the Committee at that time. I had Col. Long to testify that a great quantity of Lumber was taken from a number of persons in this town which the Publick had no account taken of. I am exceeding sorry to give you so much trouble. Could I render any Service in return it shall be complied with cheerfully.

I am with respect Sir, Yr. most ob. Servt.

JONA. DUNBIBIN.

JAMES GREEN JR TO WILLIE JONES, HILLSBOROUGH.

[From Ms. Records in Office of Secretary of State.]

New Bern 28th July 1778.

Dr. Sir:

Within you have a receipt Shewing I have agreeable to your's and Mr. Hooper's Engagement with me, Corrected the Journals of the House of Commons at the first Sitting of the Assembly at New Bern.

You will also find they were done in a few weeks after the agreement made; I think the Assembly Adjourned some time in December and Mr. Davis rec'd the Journals 10 Jany following. Please to get me the allowance for this Service, in the House, at the Committee, or on the Estimate, either of which will be agreeable to.

Sir, Your obed. Servt.

JAS. GREEN, jun.

Rec'd New Bern Jany 10 1778 from Jas. Green jun. Corrected Journals of the House of Commons, of the first Session of Assembly held at New Bern under the present political State.

JAMES DAVIS.

North Carolina Gazette, July 31, 1778.

Newbern, July 31, 1778.

Wednesday last an express arrived from Congress to his Excellency the Governor, with the following pleasing account of the operations of the grand American Army, in conjunction with a capital French fleet.

Extract from a Letter from John Penn, Esqr., delegate at Congress, to his Excellency the Governor, dated Philadelphia, July 15, 1778.

Mr. Girard, a French minister, is here. He is to reside in America. War is declared by France against England. A large fleet from that nation arrived at Sandy Hook several days ago, and are gone to New York to take possession of the British fleet there. We expect to hear of an action every hour. General

Washington has crossed the North River, and General Gates is in the neighborhood of Kingsbridge with a considerable body; our forces will be upwards of 20,000. The French have 3 or 4000 more men than they want to man their ships, who may be disposed of as General Washington thinks proper, so that most gentlemen are of opinion we shall soon be in possession of New York. In short our affairs seem to be in as good a way as we could wish.

The express who brought the above letter says, he heard in Baltimore, on his way hither, that New York had actually been invaded by General Washington and bombarded by the French Admiral at the same time, when it surrendered, and is now actually possessed by the Americans.

Since our last, died Mr. John Clithereal, a very ancient and worthy inhabitant of this town; many years in the commission of the peace; a quiet and inoffensive neighbour, and a pious and good christian.

North Carolina Gazette, July 31, 1778.

Advertisements.

Deserted from Williamsburg the 19th of April last, Thomas Sandesur, a soldier in my company of State Artillery, forty years of age, six feet high, very slim, dark brown hair, had on when he went away a brown coat, and as he has relations living on New River, Onslow County, and Fishing Creek, near Tarborough have reason to believe he is lurking about either of those places. Fifty dollars will be given to have him delivered to the commanding officer in Williamsburg, and all expences paid.

LAWRENCE HOWSE, C. V. A.

North Carolina Gazette July 31, 1778.

The subscriber, Doctor in Physick, and one of the first surgeons in the King of France's Armies, gives the public notice of setting up in this town, to exercise the art of my profession, and offer my services to the Ladies and gentlemen that will employ me; and further give notice that I possess the art of man midwife. I also undertake to cure all sorts of venereal distempers, ulcers, and ring

worms. The poor people who may want assistance, I will attend gratis. I have to sell by small or large quantity, rheubarb, bark, and flour of brimstone.

PAMBRUSE.

Edenton, July 28.

Aug. 1st, '78.

To the Honorable the General Assembly.

The Petition of Martha Gilchrist Humbly Sheweth

That your Petitioner is a native of Virginia, a Daughter of Mr. Robert Jones, (some time since Attorney General of the State of North Carolina) and the wife of Mr. Thomas Gilchrist, who formerly lived at Suffolk in Virginia, but for some years previous to the passing of the Treason Act, at and near Halifax, in this State. Your Petitioner's said Husband having been in partnership in Trade with his Brother John Gilchrist of Norfolk, for several years, the partnership at length expired, and the said Thomas Gilchrist went to Scotland, leaving almost all his Estate in the hands of his said Brother John. Your Petitioner's Husband having transacted his Business in Scotland, returned to Virginia, with a view to take possession of his Estate, and spend the remainder of his days in America, all his connections as well as your Petitioner's being in Virginia and North Carolina. But during his absence, his Brother John Gilchrist had unfortunately shot himself, and John Campbell, of Norfolk, had obtained Administration of his Estate, who was either unable or unwilling to account with Thomas Gilchrist, your Petitioner's Husband and the courts of Law being then shut in Virginia, he could not compel Mr. Campbell to do him justice; wherefore he retired with your Petitioner and four Daughters, and four or five Negro's all the Estate he could command, to Halifax Town; and this happened a little before the passing of the act for shutting up the port of Boston: Hostilities then commencing between Great Britain and the United States, Lord Dunmore with the British Troops, and General Howe, with the Troops of Virginia, destroyed a great part of the Estate of John Gilchrist by Fire, and Ld. Dunmore, by his Emissaries decoyed most of his negroes on board the Fleet, and John Campbell, the administrator, went off to Bermuda, with

the Remainder. That, from circumstances sufficiently easy, if not affluent, were Your Petitioner's husband and his family reduced to the gloomy prospect of poverty and Dependence. Your Petitioner's said Husband continued at Halifax until the passing of the Treason act, during which time he conducted himself so as to gain the good will of his Acquaintances, and never, directly or indirectly, by Word or Deed, interfered in, or obstructed the measures of the United States; on the contrary he cheerfully acquiesced in the Determinations of Congress, and agreeable to the Recommendation hired a Soldier to serve in the Continental Army: But when the fatal Act passed, he was Reduced to the greatest Dilemma, as his Fortune here was not sufficient to maintain a Wife and four Children, born to Affluence, and if he should take the Oath of Allegiance, he would in all probability be barred from Recovery of any thing in Bermudas, as Campbell, his Brother's administrator, was a violent Tory, and would undoubtedly make use of that Circumstance as an Argument to defeat his Claim. Under these Circumstances your Petitioner's said Husband was induced to leave the State, with Intention to go to Bermudas, if happily he might recover something out of the wreck of John Gilchrist's Estate; declaring at the same time that he meant to return as soon as possible and become a citizen of the State of North Carolina if he could obtain permission. Your Petitioner further Sheweth that her said Husband, since his Departure, hearing of the Resolution of Congress recommending to the United States to allow even such persons as had taken arms against them to return, flattered himself that he, whose conduct had never been inimical, should be again restored to his Family and Friends, and accordingly sailed for Georgia; arrived there and was admitted a Citizen; and now anxiously waits the permission of Your Honorable Body to embrace his disconsolate Wife and Helpless Children.

As the Case of Mr. Gilchrist has been attended with Circumstances uncommon and peculiarly hard; as he never while here, or since his Departure, murmured at or obstructed the American measures; and as mercy is the most amenable Attribute even of the Almighty; Your Petitioner prays and conjures you that you will not banish her and her helpless Infants, who are Americans like you, from their Country, their Relations, their Friends and

connection ; but humbly hopes that you will allow her Husband to return and bless his Family.

MARTHA GILCHRIST.

August 1, 1778.

RESOLUTIONS OF THE GENERAL ASSEMBLY.

State of North Carolina.

In the House of Commons, 12 August 1778.

At this critical and interesting period when the offairs of these United States have so promising an appearance, and with wisdom in Council and Valour in the Field will in all probability issue happily, it is highly incumbent on the good people of this State, that their representation in the Continental Congress should be large enough to secure a Constant attendance of Members sufficient to cooperate with the Delegates of the other States, and to signify the assent of this State to such measures as Congress in its wisdom may think fit to adopt. And as from the great distance of North Carolina from the place where Congress has been heretofore held, and is at present sitting, frequent journeyings thither is attended with almost insupportable fatigue, or the members who have been detained there during the time of their appointment have undergone a painful separation from their Families, and their private business has been totally neglected, and in some cases from indisposition of the Members on the spot or other accidents, which whilst the Representation of this State continues so small cannot be provided against, this State has in some Cases been totally without a representative, much to the prejudice of its interests and rightful importance in the Councils of America.

Resolved therefore that two members shall be added to the Delegation of this State who shall be and continue in office for and during the Term of one Year unless sooner removed by the Assembly of this State ; of which five members, three and no more shall unless prevented by unavoidable accidents attend the Councils of Congress, and any two of them present in Congress shall have full power and authority by their vote or assent to bind the inhabitants of this State in all cases not inconsistent with the Constitution thereof and its rights and Privileges as an Independent Sovereign People, and the Instructions they shall receive from this State.

Resolved that the Delegates so attending in Congress shall each and every of them during their stay where the Congress shall sit, and in going thither and returning from thence receive an allowance at the rate of sixteen hundred pounds per Annum for such portion of their year as they shall be so employed in the public service; and that the said five Delegates may in such manner as shall best consist with their several & respective conveniences settle by common consent the rotation of duty, and be at Congress or at home as they can agree provided such regulation strictly consist with the nature and intentions of this appointment.

By Order.

THOMAS BENBURY, S. C.

JOHN HUNT, C. H. C.

In the Senate, 12 August, 1778.

Concurred with. ALLEN JONES, S. S.

Extract from the Journal.

JOHN HUNT, C. H. C.

NORTH CAROLINA GAZETTE August 14, 1778.

NEWBERN, August 14, 1778.

On Monday evening last came on here a violent gale of wind at S. East, attended with heavy rain, which continued with great fury till next morning; fortunate for us here the tide did not rise to any considerable height, so that we have suffered little or no damage, but we fear, from the number of vessels which were lying at Ocracock Bar, they must have suffered considerable damage there. No accounts have yet been received from thence. The crops of corn and fodder are almost ruined, as they are every where blown down and the blades stripped off. No Northern Intelligence since our last.

STATE OF NORTH CAROLINA,
IN THE HOUSE OF COMMONS, 14th August 1778.

The joint Committee of both Houses appointed to examine the several papers and make an arrangement of the officers to command the Battalions to be filled up out of the new levies in this state, having met and chosen Gen. Person, Chairman, beg leave to report as follows:

It appears to your Committee that in consequence of orders from His Excellency the Governor, a Board of Continental officers hath been held at Halifax and Moore's Creek and have recommended Field officers, Captains, and Subalterns to take the command of *four Battalions* to be filled out of the new levies raised in virtue of an Act of the last Assembly which arrangement and recommendation of the said Board of Officers, your committee are of opinion should take place and to which they beg leave to refer.

Your Committee further reports as their report that the supernumerary Continental officers remaining should be discharged reserving to such reduced officers the right of preferment according to rank whenever a vacancy may happen, and that the militia Captains commanding the new levies shall take rank and continue with their companies agreeable to law unless when such Captain may have a less number than a full company, in which case such company to be joined to others in the same circumstances and one Captain to take command, this arrangement to be made by the said Captains, and the men under their command without the interposition of Continental officers, and that it is the opinion of your Committee that the said Captains of the said new levies raised after such arrangement shall command Continental Lieutenants and shall have a right to sit in Court Martials on the trials of said new levies.

Your Committee have examined the returns of the new levies now on duty from the district of Salisbury and Hillsborough, and have received information that a number also is now collected at Halifax, and in Duplin County, upon the whole your Committee are of opinion that the new raised levies together with such Continental soldiers as are now on duty in the State are fully sufficient to complete the four Battalions to be raised agreeable to the Resolves of the Continental Congress which is submitted.

The House taking said report into consideration concurred therewith, except that part "reserving to such reduced officers the right of preferment according to rank whenever a vacancy may happen."

By order of JOHN HUNT C. H. C.

In the Senate, 14th August 1778.

Concurred with as altered by the Commons.

ALLEN JONES S. S.

Extract from the Journal.

JOHN HUNT, C. H. C.

DR. THOMAS BURKE FROM CORN. HARNETT.

PHILADELPHIA 27th August 1778.

DEAR SIR:

Upon my arrival here, I met with the Inclosed-Letter. Congress seems to go on in the old way, some times [illegible] upon trifles, & neglecting the greater matters of the Law. The Expedition against Rhode Island seemed to be in train for Success. *Your* friend Gen. Sullivan having landed without opposition with between 3 or 4000 Regulars & a Body of Militia from the N. England States, & the french squadron under the Count De Estaing having made an attack upon the Enemies' Fortification, & had in a very short time, silenced two of their Batteries; but were surprised at the appearance of a British fleet off the Harbour, which obliged the French Admiral to put to sea the next morning in order to Engage the Enemy. This Lord Howe endeavoured to avoid by flight; & the French fleet were seen in pursuit of him at 11 o'clock; no certain intelligence has been since received of the event of this manoeuvre. Gen. Sullivan however marched up near the Enemy, who had evacuated all their Out Posts & retired within their lines near the Town. Our Genl. had under Cover of a Fog, erected a Battery within 250 yards of the Enemy's works, & intended to begin a Cannonade as soon as the Fog cleared away. Indeed the Genl. seems to promise himself success at all events, and is by his Letter to Congress, in high Spirits. He has hereto-

fore been unlucky; who knows but Fortune who is a fickle jade, may favour him at last; I hope she will.

Inclosed are the last papers, to them I refer you for what little news is stirring.

When the Assembly meets I beg you will endeavour to get their account of expenditures for Continental Services sent on in which ought to be included the expense of the Armament to quell the Insurrection, the Expedition against the Indians, the Militia sent to Virginia, & those raised on several Other Occasions. I am firmly of opinion these matters ought to be made a Continental Charge, as you know such charges are made, & allowed to the other states daily. I hope you, Mr. Hooper, Maclain, &c., will exert yourselves on this occasion. Colo. Hogun is arrived with near 600 men, & as soon as they are furnished with money &c., will proceed immediately to White Plains, where General Washington with the main Army are Encamped, ready to act as circumstances may require. Genl. Lee's Tryal is ended and the sentence of the Court Martial is in these words: "The Court do Sentence Major General Lee to be suspended from any Command in the Armies of the United States of North America for the Term of twelve months"—Signed; Stirling, Major General & President. The whole prceedings of the Court Martial are now before Congress, but nothing, as yet done in it. They are only ordered to be printed. Our friends are all well & desire their Compts. to you, be pleased to present mine to Mrs. Burke. I am with great truth Dr. Sir,

Your real friend & obedt Servt.
CORN. HARNETT.

I left with you a letter directed to John Purviance who was at Baltimore, he has not received it. Can you recollect by whom it was sent. It contained some money for Lottery Tickets.

To Thomas Burke Esq.

North Carolina Gazette, August 28, 1778.

Newbern August 28, 1778.

The General Assembly lately held at Hillsborough, have adjourned themselves to January next, then to sit at Halifax. They passed the following bills at Hillsborough, viz.

A bill for repealing part of an act, allowing salaries to the governor, &c.

A bill to make provision for the recovery of debts due to the United States, or any of them.

A bill to amend an act, for altering the times of holding the superior, and County Courts &c.

A bill for emitting eight hundred and fifty six thousand pounds, for redeeming the old currency and the Congress money, the former by the first day of March, and the latter by the first day of May.

The French regiment which was raised in this town is broke, it being impossible to complete such a regiment here, where only a few straggling French sailors can be picked up.

CAPT. ROBERT RAIFORD, 8TH REGT., TO COLO. JETHRO SUMNER, BUTE COUNTY.

By favor of Capt. Williams.

Camp Duplin Court House Aug. 31st 1778.

Sir:

Your favour of the 23rd Instant favoured by Captain Williams came to hand this morning and was exceedingly glad to have Orders from you.

The Men has been embodied here a considerable time and have had no Orders. Only Once from Colo. Davis, who has been detained from Camp occasioned by Sickness, I have However not failed to make him acquainted with the troops, by returns, the Men has been pretty constant in Camp til lately, some have furloughs who are daily expected in. I have this Morning dispatched off to Bladen, Cumberland & Hanover to give Notice to the several Cols. that we intend Marching off immediately, So as if they have rec'd any Money it may be distributed to the Levies from their own County. The Hanover Comp'y is not supplied with Cloaths, tho' they are now ready which I have sent down for this Morning and am in hopes we shall be ready in ten days from this and makes no Doubt but the Men will March off without Much trouble. The Cumberland Company has never Joined here, I wrote the Commanding Officer of that Detachment to march off

within ten days from this date to Halifax & mentioned if the men would not proceed to make Weekly returns either to you Or the Commanding officer of this District. You will Inclosed receive a return of the 3 Comp'ys now in Camp which is but small & am sorry for it but hopes before ten days is past we shall make a better appearance.

This will be delivered you by Captain Williams who can personally tell you the situation of the troops here more to your Satisfaction than I can by letter, to whom for further intelligence shall refer. The Discriptive list of Bladen and Cumberland I returned to Col. Davis & expects it will cause me a Ride to his house for, which is about 45 Miles. You'l see by the return that a Great part of the Men Never joined.

I am Colo. with respect

Your most obt. Servt.

ROBERT RAIFORD, Capt.

"A List of the Officers of the 1st North Carolina Continental Battalion from Its First Establishment Sept. 1st, 1775, to Sept. 1st, 1778, with the Dates of Their Appointments, Promotions, Deaths, Resignations. Also a List of the Officers Taken into the 1st, Agreeable to the New Arrangement."

NAMES.	RANK.	WHEN APPOINTED.	1ST PROMOTION.	2ND PROMOTION.	3RD PROMOTION.	RESIGNATION.	REMARKS.
James Moore	Colonel	Sept. 1, 1775	March 1, 1776				Died April 22nd, 1777.
Francis Nash	Lieut. Col.	Do.	Ap'l 10, 1776	Feb. 5, 1777			Wounded Oct. 4. 1777, & died ye 7th.
Thomas Clark	Majr	Sept. 1, 1775	Do.	Do.			
William Davis	Captn	Do.	Do.	Do.			Transfer'd to one of the 4 Reg'ts in Carolina.
George Davidson	Captain	Sept. 1, 1775				Feb. 5, 1777	
Caleb Grainger	Do.	Do.	Feb. 5, 1777			Ap'l. 26, 1777	
John Walker	Do.	Do.	Ap'l 26, 1777			Dec. 22, 1777	
Alfred Moore	Do.	Do.				March 8, 1777	
Henry Dixon	Do.	Do.	July 8, 1777				To a Majority in ye 3rd Regiment.
Robert Rowan	Do.	Do.				June 29, 1776	
Thomas Allen	Do.	Do.				Aug. 15, 1776	
(No first name) Pickett	Do.	Do.					These two Cos. reduced by order of the Council of Safety of the State of N. C., January ye 4th, 1776.
William Green	Do.	Do.					
John Lillington	Lieutenant	Sept. 1, 1775				May, 1776	
Wm. Brannon	Do.	Do.				March, 1776	
Thomas Hogg	Do.	Do.	Ap'l 10, 1776	Sept. 19, 1777			To a Majority in ye 5th Regiment.
Absalom Tatum	Do.	Do.	June 29, 1776			Sept. 19, 1776	
Lawrence Thompson	Do.	Do.	Aug. 15, 1776				Transfer'd to one of the 4 Reg'ts in Carolina.
Hector McNeil	Do.	Do.					Des't'd to ye Torys, Feb. 3, 1776, condemn'd by a Court Martial in March. Escap'd.
Joshua Bowman	Do.	Do.	Sept. 18, 1776				
Tilman Dixon	Do.	Nov. 15, 1775	Feb. 15, 1777				
Henry Neal	Ensign	Sept. 1st, 1775	Jan. 11, 1776	March, 28, 1776	Feb. 5, 1777	Ap'l 3, 1777	
Robert Rolston	Do.	Do.	Do.	Do.	Mar. 8, 1777	Aug. 29, 1777	
Howell Tatum	Do.	Do.	Do.	Do.	Ap'l 3, 1777		
George Grayham	Do.	Do.	Do.			Ap'l 15, 1776	
Niel McAllister	Do.	Do.	Do.	June 29, 1776		Jan. 20, 1777	
Maurice Moore	Do.	Do.	Do.				Killed Jan. 18, 1776.
Lehancius Dekeyser	Do.	Nov. 15th, 1775	Do.	Feb. 3, 1776		Dec. 10, 1776	
John Brown	Do.	Do.	Do.	July 7, 1776	Ap'l 26, 1777		Transfer'd to one of the 4 Reg'ts in Carolina.
Joseph McLemmy	Do.	Jan. 4, 1776	Jan. 18, 1776				Died in July, 1776.
Wm. Crawford	Do.	Do.	Mar. 28, 1776			Aug. 15, 1776	
Adam Boyd	Do.	Do.	March, 1776			May, 1776	
James Read	Do.	Do.	July 6, 1776	July 7, 1776	July 8, 1777		
Wm. Armstrong	Do.	Do.	Ap'l. 10, 1776	Jan. 1, 1777	Aug. 29, do		Transfer'd to one of the 4 Reg'ts in Carolina.
Stephen Daniel	Do.	Do.				June 3, 1776	
Joseph Eagle	Do.	Do.				Mar. 20, 1776	
Robert Council	Do.	Do.	July 7, 1776			Sept. 10, 1776	On account of his ill state of health.
Edmunds Gambell	Do.	Mar. 28, 1776		Jan. 20, 1777			Transfer'd to one of the 4 Reg'ts in Carolina.

NAMES.	RANK.	WHEN APPOINTED.	1ST PROMOTION.	2ND PROMOTION.	3RD PROMOTION.	RESIGNATION.	REMARKS.
Samuel Blyth	Do.	Do.	Do.	Feb. 5, 1777		May 16, 1778	
John Summers	Do.	Do.	Do.	Do.	July 10, 1778		
Robert Varner	Do.	Do.	Do.	March 8, 1777			
Septimus Robinson	Do.	Do.	Do.			Oct. 10, 1776	
James King	Do.	June 1, 1776	Aug. 15, 1776	Ap'l 3, 1777			
John Gambier Scull	Do.	Do.	Nov. 21, 1776	Ap'l 26, 1777			
Thos. Collender	Do.	June 6, 1776	Jan. 1, 1777	July 8, 1777			
James Craven	Do.	June 12, 1776	Do.	July 28, 1777			
John Cheese	Do.	Do.	Jan. 20, 1777			April 1, 1777	
Charles Triplet	Do.	Sept. 19, 1776					Died Dec'r, 1776.
William Walters	Do.	Do.	Feb. 5, 1777	Sept. 19, 1777			Transfer'd to one of the 4 Reg'ts in Carolina.
Peter Bacot	Do.	Do.	Feb. 8, 1777	Oct. 4, 1777			
Thomas Hall	Ensign	Dec. 24, 1776	Feb. 8, 1777			April 3, 1777	
Samuel Walters	Do.	Do.	March 29, 1777			April 23, 1777	
Patrick Rogers	Do.	March 28, 1777	Ap'l 3, 1777				Died April 19, 1778.
John Rice	Do.	Do.	Do.				Transfer'd to one of the 4 Reg'ts in Carolina.
John Irwin	Do.	Do.	Ap'l 4, 1777			Aug. 28, 1777	
James Milligan	Do.	Do.	Ap'l 23, 1777				In No. Carolina. Never joined. Broke by a Court Martial 13 July, 1778.
Dixon Marshall	Do.	Do.	Ap'l 26, 1777				
Robert Council	Do.	Do.	July 8, 1777				Transfer'd to one of the 4 Reg'ts in Carolina.
	STAFF.						
James Tate	Chaplain	Oct. 13, 1775					Transfer'd to one of the 6 Reg'ts in Carolina.
Isaac Guion	Surgeon	Sept. 1, 1775				Dec., 1775	
James Gakee	Do.	Dec., 1775				May, 1776	
John Fergus	Do.	May, 1776				April, 1777	
Frederick Heimburg	Do.	March 13, 1778					
Samuel Ashe	Paymaster	Sept. 1, 1775				April, 16, 1776	
William Lord	Do.	Decr., 1776				March 5, 1777	
Richard Bradley	Do.	March 5, 1777					Dismissed June 1, 1778, agreeable to the new arrangement.
Lehancius Dekeyser	Adjutant	Nov. 15, 1775				Dec. 10, 1776	
John Rice	Do.	Dec. 10, 1776	March 28, 1777				
Stephen Conger	Do.	Jan'y 29, 1778					Dismissed June 1, 1778, agreeable to the new arrangement.
Yelverton Fowkes	Quar. Master	Feb. 3, 1776				Aug. 1, 1776	
Patrick Rogers	Do.	Nov., 1776	March 28, 1777				
William Womack	Do.	Jan., 1778					Dismissed June 1, 1778, agreeable to the new arrangement.
William Kennon	Commissary	Sept., 1777				April, 1777	

N. B. The Ensigns' first promotions were to 2nd Lieutenants,

A List of Officers Taken into the First (From the Different Battalions) to Compleat It, Agreeable to the New Arrangement.

NAMES.	RANK.	APPOINTED.	REG'MT.	PROMOTION.	TAKEN INTO 1ST.	REMARKS.
James Emmet	Captain	Ap'l 16, 1776	3rd	Dec. 22, 1777	Dec. 22, 1777	Never Joined. Transfer'd to one of ye 6 in Carolina.
Robert Mebane	Lieut. Col.	Nov. 26, 1776	7th		June 1st, 1778.	In Room of Lt. Col. Wm. Davis, transf'd as above.
John Baptista Ashe	Captain	April 16, 1776	6th	Jan. 26, 1777	Do.	In Room of Major James Emmet.
Griffith, Jno. McRee	Captain	Do.	6th		Do.	In Room of Capt. Laurence Thompson, transf'd as above.
Isaac Moore	Do.	Ap'l 19, 1777	10th		Do.	In Room of Capt. Jno. Brown, tranf'd as above, died July 10, 1778
Robert Nicholson	Lieut	April 19, 1777	10th		June 1, 1778	In Room of Lt. Edm'd Gamble, transf'd as above.
Wm. Walton	2nd Do.	April 20, 1777	7th	Aug. 15, 1778	Do.	In Room of Lieut. Blyth, resigned as above.
George Cook	2nd Do.	April 19, 1777	10th	July 10, 1777	Do.	In Room of Lieut Wm. Walters, transf'd as above.
Wm. Slade	Ensign	Jan. 2, 1777	4th	Ap'l 26, 1777	Do.	In Room of Lt. Rob't. Council, tr'f'd as above.
Danl. Shaw	Do.	Ap'l 2, 1777	6th	Oct. 11, 1777	Do.	In Room of Lt. James Milligan (Broke).
Richd. Dickinson	Do.		6th	Oct. 12, 1777	Do.	In Room of Lt. Rice. transf'd as above.
Thomas Pasture	Do.	June 15, 1777	4th	Dec. 29, 1777	Do.	In Room of Lt. Jno. Irwin (Resigned)
Robert Hays	Do.	Aug. 16, 1777	4th	Jan. 1, 1778	Do.	In Room of Lt. Patrick Rogers (Deceased.)
David Wright	Do.	Ap'l 19, 1777	10th	Feb. 15, 1778	Do.	
William Hargrave	Do.	Jan. 16, 1778	Do.		Do.	

These 2nd Lieuten'ts now acting as Ensigns.

T. CLARK, COL.

Copied from the original Ms. in the Bureau of Rolls & Library. Dep't. of State, Washington, D. C. "Army Returns. Arrangements of Officers." Vol 8, No. 27, Page 20.

GRAHAM DAVES.

NOTE—The word "dismissed," as it occurs under "Remarks" on page 3 hereof, is not used in a derogatory sense. It signifies merely that owing to the reduction and consolidation of the regiments of the North Carolina Continental Line, in compliance with the Act of Congress of May 29, 1778, the surplus officers were discharged.

G. D.

[From Ms. Records in Office of Secretary of State.]

1st Sept. 1778.

These are to certify that John London applied to us the subscribers two Justices of the Peace for the County of New Hanover in the State of North Carolina, and requested to be admitted to take the Oath of Allegiance to this State as by law prescribed, but we having a doubt as to the legality of the same, as the said John London is here on his Parol, under the confiscation act, refused to administer the said Oath, and at the same time do certify the said John London's willingness to take the same.

Given under our hands 1st Sept. 1778.

JONA DUNBIBIN.
THOS. BLOODWORTH.

A true Copy, John London.

North Carolina Gazette, September 6, 1778.

Newbern Sept. 4, 1778.

Last week, Mr. Thomas Barker arrived at his house in Edenton, from France, and the next day waited on a Justice of the Peace and took the Oath of Allegiance to this State. Mr. Barker has been absent about 17 years, during which time he has resided in England, from whence he lately came by way of France; he left Nantz the 8th of July, at which time there was no war declared, but daily expected. He assures us, that in France the Americans are held in the highest estimation by all degrees of people, and that they have nothing so much at heart as to support our independence and humble the pride of the haughty English.

COL. Th. CLARK TO JAMES HOGG, ESQ., HILLSBORO.

CAMP WHITE PLAINS, Sept. 6th, 1778.

DEAR SIR:

A few days ago I received a letter from your Brother dated New York August 19th 78. He complain that the hot weather has brought back a little of his old complaint, but is very anxious to return to Carolina, and hopes that time will be given him to consider the New Constitution and Laws before any oath is tendered him. He is also very desirous to have a meeting with me.

I have always had a great friendship for your Brother and never considered him as an enemy to this Country, I would be glad to have a meeting wt. him could it be done with any Convenience. Burgwin, Cruder, McCullock, and several other gentlemen from Carolina are at New York and I believe intend to make up the matter with their Country if they Can, a great change Mr. Hogg. The wisdom of Congress and the Conduct of Gen. Washington have waded through innumerable difficulties, but what can not a Country do when its liberties are at stake. Our independence is now I think firmly established by which Britain has lost her right hand. We have a fine army well disciplined, well armed and accoutered; what can they not do in this situation when they have performed wonders without any one of them. We charge them with Bayonets and with smaller numbers drove them before us, this is a fact. It is supposed they are about to leave New York. They are like the wandering Israelites equally cursed by their maker; this Campaign I think will deprive them of any foot hold in America.

Please make my Compliments to Mrs. Hogg and family and all friends.

I am Dr. Sir, your obedt humble Servt.

TH. CLARK.

P. S. Your Brother at present has a small touch of the Gout, should he come out this way I will do all in my power to procure him a safe pass to No. Carolina.

Edenton, Oct. 20th, 1778, taken out of the Post Office and forwarded by, Dr. Sir.

Your obedt Servt.

ARCH CORRIE.

U. S. PENSION OFFICE: IN A DILAPIDATED OLD BOOK ENTITLED: "N. C. ROLLS"—NOT PAGED.

[See also Book of "Army Returns," No. 27. P. 80.]

ARTILLERY—CLARK'S CO.

Thomas Clark,	Capt.	1 Jan., 77.
Thomas J. Carnes,	Capt. Lieut.	1 Jan., 77. Resigned 8 March 79.
John Van Duyck,	1st Lieut.	1 Feb., 77.
William Clark,	Sergt.	1 Jan., 77 3 years.
William Pennington,	Sergt.	7 Mar., 77 3 years.
William Johnston,	Corp.	1 Jan., 77 3 years.
Isaac Lawrence,	Corp.	1 Jan., 77 3 years.
Major Scudder,	Bombardier,	7 Jan., 77 3 years, Ranks 31 Oct. 78.
Nathaniel Ross,	Bombardier,	1 Jan., 77 3 years, Rank 31 Apr., '79.
Daniel Whitehead,	Gunner,	1 Jan., 77 3 years.
Ezekiel De Camp,	Gunner,	1 Jan., 77 3 years.
Hambln Robinson,	Gunner,	2 Jan., 77 3 years.
Joseph Chase,	Musick,	A deserter, sent to his regiment, June, 78.
Thomas Clark,	Matross,	1 Jan., 77 3 years.
John Fletcher,	Matross,	26 May, 78 9 months; Des'd 1 Dec. 78; Dischd 28th Feb. 79.
Oliver Kelly,	Matross,	1 Jan., 77 3 years.
Nathaniel Little,	Matross,	1 Jan., 77 3 years.
John Mitchell,	Matross,	1 Jan., 77 3 years.
James Miller,	Matross,	6 Feb., 78.
Daniel Southerland,	Matross,	2 Jan., 77 3 years.

No date, nor signature. (Probably 9 Sept. 78.)

This Return is more complete than that in the Army Returns.

DEP'T OF STATE, WASHINGTON, D. C.
"WASHINGTON PAPERS." ARMY RETURNS.
VOL. 8. No. 27. PAGE 1.

A list of the Officers that served in the 2nd North Carolina Battalion since Jan. 9, 1778.

[Sept. 9, 1778.]

NAMES OF OFFICERS.	DATES OF COMMISSIONS.	REMARKS.
FIELD OFFICERS.	1777	
Alexander Martin, Colonel		Resigned Nov. 22nd, 1777.
John Patten (sic) Lieut. Coln.	Nov. 22nd	Promoted Nov. 22nd, 1777.
John White, Major	Feb. 1	Promoted to command of a Reg't in Georgia.
Hardy Murfree, Capt	Do.	Promoted to Major.
Selby Harney, Major	Nov. 22nd	Promoted Lieut. Col'n from the 8th to the 2nd Reg't.
John Armstrong, Captain	Oct. 4th	Promoted Major to the 4th Regiment.
CAPTAINS.		
James Gee		Died Nov. the 12, 1777.
John Heritage		Resigned May 15th, 1777.
Wm. Fenner	Oct. 24th	Promoted Major to the 7th Reg't.
Edward Veal (sic)		Cashiered Dec. 21, 1777.
Benja. Williams	July 19, 1776	
	1777	
Clement Hall	April 24th	
James Martin		Transf'd to the 5th Regiment.
Joseph Tate		Died 2nd June, 1777.
Charles Allen		Transf'd to the 5th Reg't.
Benjam'n Coleman	April 30	Tranf'd from the 5th Reg't.
Robert Fenner		Date of commission in dispute.
John Ingles	Oct. 24	
Thos. Armstrong	Oct. 25	Transf'd from the 5th Reg't.
Manlove Tarrant		Sent to No. Carolina agreeable to the arrangement.
John Craddock	Dec. 21st	
Thomas Standiss		Resigned May 15, 1777.
1ST LIEUTENANTS.		
Joseph Worth		Died April 6, 1777.
Phillip Lowe		Resigned Feb. 1, 1777.
Clement Nash		Resigned Feb. 1, 1777.
Isaac Rolston		Sent to No. Carolina agreeable to the arrangement.
David Vance		Sent to No. Carolina agreeable to the arrangement.
Charles Steward (t?)		Transf'd from the 5th Reg't.
Thomas Evans	May 15th	
John Jacobs		Resigned March 1st, 1778.
John Daves	October 4th	
James Parkerson		Died 26 March, 1778.
Samuel Budd	Nov. 11th	
John Williams		Sent to No. Carolina agreeably to arrangement.
James Campen	Dec. 21st	
Arthur Colgrove	March 26	
Chas. Garrard	June 1st	Transf'd to the 5th Reg't.
2ND LIEUTENANTS.		
William Killeby		Died April 6th, 1777.
Sam'l McKlewaine		Resigned Oct. 24, 1777.

NAMES OF OFFICERS.	DATES OF COMMISSIONS.	REMARKS.
John Radford		Do. Feb. 1, 1778.
James Luton		Do. March 10, 1778.
Levi Sawyer		Do. March 16, 1778.
ENSIGNS.		
William Ferrill	Sept. 8.	
Samuel Jones		Dead July, 1778.
Richard Andrews	Novr 1.	
Thos. Finney	Novr 12.	
Levi Gatling		Cashiered Aug. 26, 1778.
Stephen Southall	April 1st.	
Natt Lawrence	June 1st.	
James Verrier	June 1st.	

JOHN PATTON, Colo.

N. B. This return is not dated in the original MS., but other records show it to have been of Sept. 9, 1778.

GRAHAM DAVES,

Bureau of Rolls & Library, Washington, D. C.

North Carolina Gazette, September 11, 1778.

Newbern, Sept. 11, 1778.

Since our last returned into port from a short cruize, the privateer brig Bellona, Capt. Pendleton, of 16 guns, belonging to this state, in which she took the following prizes, viz. The brig Elizabeth, Capt. Kelly, laden with indigo, and lumber, from St. Augustine, schooner Actaeon, Capt. Bunch, from New York, bound to New Providence, in ballast, a considerable sum in specie on board; sloop Capt. Tinker, from New York bound for New Providence, with dry goods; privateer sloop Harlecan, of 6 carriage guns, 4 brass caborns, and 8 swivels, fitted out of New York, commanded by Stephen Snell. She had taken two prizes before Capt. Pendleton fell in with her.

SECR'Y HARRISON TO COLO JAMES HOGUN OF NORTH CAROLINA.

[U. S. State Dept. Army Returns. Vol. 31, P. 33.]

Sir:

With the money you drew yesterday from the paymaster General, you will use your best endeavours to inlist the Drafts from *North Carolina* under your command, to serve for three years or during the War in the army of these United States. To facilitate the Inlistments you will put the money into the Hands of such officers as you may judge proper for the occasion.

Each Draft inlisting, in either case is to be paid a bounty of twenty Dollars. Besides this he will receive the usual allowance of clothing & of land. Where the Inlistment is for three years it is to commence and to be accounted from the expiration of the time of service for which the party inlisting stands now engaged. You nor the Officers appointed by you, are not to inlist the Drafts or Soldiers belonging to any but your own State. The names of the men who inlist, the time when and the terms for which they engaged, whether for three years or during the War, are all to be particularly noted and set down, that there may not be any disputes or mistakes respecting the same.

By His Exy commd.
ROB. H. HARRISON,
Secy.

Head Qrs Sept 16, 1778.

HON. CORN. HARNETT TO HONBL. THOMAS BURKE ESQR. NEAR HILLSBOROUGH, NO. CAROLINA. BY POST.

PHILADELPHIA, 19 Sep. 1778.

SIR:

Your agreeable favour of the 22nd only came to my hands last night. Believe me when I assure you that I have heartfelt Satisfaction in finding Our General Assembly have shewn a proper resentment at the unprecedented treatment you met with at York Town. They could not have given you a more convincing proof of their approbation of your Conduct in Congress, than by appointing you again in the very face of their ridiculous resolves, to represent them in that Body.

I have Consulted my Associates in regard to the time of returning home; Mr. Penn seems content to remain & Mr. Williams & myself have concluded to stay until the 1st of December & to return immediately on your or Mr. Hill's arrival. The appointment of Mr. Hill with yourself has given me great pleasure. Our Assembly have been wise in determining that three of their Delegates shall always be present in Congress. I only wish they had appointed six, which would have made it more convenient for the Gentlemen to attend.

I send News papers. As to the business of Congress, it goes on in the old way, doing more in three hours, at one time than they do at another in three days.

Nothing Interesting has happened at Head Quarters. The preparations making at New York seem to indicate the Enemy's intention of removing from that City; perhaps it may be only a feint. You will be pleased to present my respectful compliments to Mrs. Burke & be assured that I am, Dr. Sir,

Your afft. friend & Obedt. Servt.

CORN HARNETT.

Mr. Allison was not so obliging as to call upon me or even to let me know where he lodged.

Honble. Thos. Burke, Esqr.

GOV. R. CASWELL TO MR. PRESIDENT LAURENS.

[U. S. State Dept. State Papers, Vol. 72 P. 67.]

North Carolina 22d September 1778.

Sir:

In my last the General Assembly of this State directed a Regiment to be raised for the service of this State or of the United States, to be composed of French Sailors and other Natives of France or of the French West Indies & those Resident in or thereafter coming to this State, and gave the Command of the same to Colonel Chariol (the Bearer). But finding it impracticable to complete the Regiment, the General Assembly in their late Session in August disbanded such as were raised.

Colonel Chariol is about to undertake a Journey to the Grand American Camp, in his way. He intends waiting on Congress, and I take the liberty of introducing him to your notice, as from every part of his conduct, which I am acquainted with, He has acted as became the Gentleman & the officer. The frequent applications of his late officers will oblige me to give you the trouble of receiving many Letters from me regarding them, but as I know you are acquainted with the disposition of these people, I flatter myself you will excuse the trouble I shall give you on their accounts.

I have the honor to be with the utmost respect & esteem Sir,

Your most obedient and very humble servt,

RD. CASWELL.

Honble. Mr. President Laurens.

[Endorsed]

Letter from Govr. Caswell of North Carolina Sept. 22, 1778.

Read Jany. 2, 1779.

[Journals of Congress Vol. III, P. 68.]

September 25, 1778.

Extract.

Resolved, That Major General Robert Howe, be, and he is hereby directed to repair immediately to Gen. Washington's head quarters.

Resolved, That Major General Lincoln take command in the Southern department; and repair immediately to Charleston, South Carolina.

[Idem, P. 169, December 29, 1778.]

Resolved, That two brigadiers be appointed for the troops of North Carolina.

Col. Jethro Sumner and Col. Thomas Clark are nominated for brigadiers by the delegates of North Carolina.

Resolved, That an additional brigadier be appointed for the troops of South Carolina.

Col. Isaac Huger is nominated by the delegates of South Carolina.

[Idem, P. 173, January 1, 1779.]

Resolved, That the board of War be directed to supply, on the application of the delegates of North Carolina, the men of Col. Hogun's regiment, which chiefly consists of draughts from the militia of that State, with such articles of clothing as in the opinion of the board may be spared from the continental stock, without detriment to the service; the articles received by the regiment by order of the board, to be charged to the said State.

[Idem, P. 180, January 9, 1779.]

Extract.

"Congress proceeded to the election of brigadiers, when by unanimous consent, Colonel Hogun was put in nomination as a brigadier for the North Carolina troops; and the ballots being taken, Col. Sumner, Col. Hogun, and Col. Huger were elected brigadiers.

[Idem, P. 714, January 24, 1782.]

A letter of the 23d, from Gen. Washington, was read, accompanied with the proceedings of a General Court-Martial, upon Major General Howe; the said proceedings being also read,

Resolved, That the sentence of the General Court-Martial, acquitting Major General Robert Howe, with the highest honour, of the charges exhibited against him, be, and hereby is approved and confirmed."

BEN. B. BOOTE TO HIS EXCELLENCY RICHARD CASWELL ESQR. GOVERNOR OF THE STATE OF NORTH CAROLINA.

[From MS. Records in Office of Secretary of State.]

Salisbury, 10th October, 1778.

Sir:

According to my promise of the 28th Ulto. I take this first opportunity of inclosing to your Excellency, office Copies of the affidavits touching the Land dispute, between William Terrel Davis and Benja. Cleveland and Samuel Bicknell. I trust your Excellency, upon perusing these papers, will incline to think, there have been such unfair practices carried on somewhere during the course of this Business—that it is expedient, a farther investigation into the truth and justice of the premises, ought to take place, before any Grants shall pass to Cleveland and Bicknell, especially as there is not any Court of Equity yet established in this State, to correct proceedings so unjust and oppressive. I am

Your Excellency's Most obedient and very hum. Servt.

B. BOOTH BOOTE.

North Carolina Gazette November 20, 1778.

In Congress, October 12, 1778.

Whereas true religion and good morals are the only solid foundations of public liberty and happiness.

Resolved, That it be, and it is hereby earnestly recommended to the several States to take the most effectual measure for the encouragement thereof; and for the suppressing of theatrical entertainments, horse racing, gaming, and such other diversions as are productive of idleness, dissipation, and a general depravity of principles and manners.

Resolved, That all officers in the Army of the United States be, and hereby are strictly enjoined, to see that the good and wholesome rules provided for the discountenancing of profaneness and vice, and the preservation of morals among the soldiers are duly and punctually observed.

Extract from the minutes.

CHARLES THOMPSON, Sec'ty.

Extract from Returns of the Continental Army Under the Com'd of His Excel'y Geo. Washington Esq.

[U. S. State Dept. Vol. 101. P. 54.]

Camp Fredericksburgh, Oct'r 26th, 1778.			BRIGADES.			North Carolina.	
Non Commission'd Officers.							
*	*	53	Sergeants.			*	*
*	*	36	Drum'rs & Fifers.			*	*
Rank and File.							
*	*	681	Present Fit for Action.			*	*
*	*	75	Sick Present.			*	*
*	*	163	Sick Absent.			*	*
*	*	3	On Furlough.			*	*
On Command							
*	*	178	With the Light Infantry or on Detachment.			*	*
*	*	69	As Waggoners, &c.			*	*
*	*	.....	Drafts.			*	*
*	*	159	Men not drafts whose times are near expired.			*	*

ALEXD SCAMMELL, Adjt Genl.

[U. S. State Dept. Army Returns, Vol. 31, p. 31.]

State of Hogun's Regiment.

REGIMENTS.	Officers Present.																								
	Commissioned.							Staff.						Non Commissioned.						Rank & File.					
	Colonels.	Lt. Colonels.	Majors.	Captains.	1st Lieuten'ts.	2nd Lieuten'ts.	Ensigns.	Chaplains.	Adjutants.	Pay Masters.	Quarter M'st.	Surgeon.	Mate.	Serg't Major.	Q. M. Serg't.	Drum Major.	Fife Major.	Sergeants.	Drums & Fifes.	Present Fit for Duty.	Sick Present.	Sick Absent.	On Command.	On Furlough.	Total.
Col. Hogun.	1			5	6	5			1	1		1		1	1	1		20	18	314	90	67	20		491
	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*

Return of Hogun's Regiment dated October 22nd, 1778.

ALEX. SCAMMELL, Adj't. Gen'l.

SAML. HODGE TO GOV. CASWELL.

Tarr River Octo. 27th 1778.

May it Please Your Excellency:

Pardon this intrusion as I have no other method left me to communicate a matter which immediately Concerns my Interest. From the universal good character your Excellency bears and the station in life you possess I am confident you will do me justice as far as your Power extends and therefore must beg your attention a few moments to the matter I shall here endeavour to explain to you in as fair and true a light as my abilities admit of. Your petitioner had the honor to serve as an officer on board one of the Continental frigates from whence I was ordered to take charge of a brign captured by said Frigate and proceed for the Continent. I arrived at Beaufort where s'd Brign. with Cargo and appurtenances were sold for the sum of Eight thousand four Hundred and Eighty four pounds seven shillings & six pence, the one Moiety of which belonged to the Captors. In consequence I have demanded it from the Marshall both in private and public. He utterly refuseth giving me the money or Security for the payment of the same, by which means I have been detained here this four months or more as being convinced the money would be demanded from me by the Capturers whenever I returned to New England. I am here a stranger and friendless, which I hope will be a sufficient excuse for the trouble I am giving your Excellency and pray you will take it into your wise Consideration and afford me what Relief is in your Power. I wrote to Doctor Savage desiring him to wait on your Excellency. I beg you would instruct him in what manner I am to act in the affair so that I may obtain a speedy redress. I should have done myself the honour to wait on you but am in one of the Doctors vessels ready for sailing; I must therefore beg your kind acceptance of this my poor petition and grant a pardon to all its Imperfections.

I Now Conclude with Beging leave to Subscribe Myself

Your Most Obedient and Most Humble Servt.

SAMUEL HODGE.

To His Excellency Richard Caswell Esqr. Governor In & Over the State of North Carolina.

RICHARD HENDERSON (?) TO JUDGE JOHN WILLIAMS.

WILLIAMSBURG, Oct. 29th, 1778.

DEAR SIR:

Your friends are all well—The day before I left home I waited on Mrs. Williams for her commands, as I intended writing you from this place, and am happy in informing you that she, and your nearest connections were very well, and would be happy if you were among them. Before you receive this, Mr. Springer (who is gone to the Northward) will inform you this, and no doubt, deliver a letter from your family, by which you will be informed of the Death of your Nephew, Jackey Williams. This melancholy part of the tale I wish to have omited, but it is needful you should know the truth. On this Lamentable Occasion, I advised Mrs. Williams to keep close possession of the books, and every paper belonging to or in keeping of the unfortunate lad.

In this I am sure of your approbation, as you must know how Essential it may be, to settling the Estate of your lately Deceased Brother.

In this letter you are not to expect the least regularity but must take matters as they Occur. At present my spirits are very low, owing to the Situation of my affairs. You know that is two years and a half, that I have waited on the Assembly of Virginia on the subject of our Transylvania purchase, and ought at least to have a hearing. Notwithstanding the Assembly began on the first Monday in the month, and our cause was by rules to come on the second, it is now the 29th without obtaining that end. Tomorrow is the day prefixed, and so it has been for many days, and it is uncertain whether we have a hearing or not, as many of the members seem roused from their Lethargy, and find that the house are not by Law or the Constitution Competent to the question. To avoid every kind of dispute of this kind, we today, presented a memorial, in which we signifyed our willingness to be concluded by "the Assembly. It lies on the Table, and we hope to have a hearing tomorrow on the Subject. Doctor Burke is here our Attorney, and I have no doubt will do us ample Justice. In my last which I wrote from Halifax, some mention was made of a destructive Storm, but am sorry to inform you, that the rains continued forty days and forty nights at least, and that the Damage has Occasioned a Scarcity, which renders Corn near 5 £ a Barrel

and pork at least £10. How this will effect you as an individual I don't know, but make no doubt but Mr. Burton will do for the best. Thus much with respect to our Country and its calamities. You want to hear a little more about Transylvania. Of this I will inform you to-morrow evening, but believe the Virginians do not mean to be very liberal or generous.

30th October—This day, for the first time in two years and a half, the Assembly has deigned to hear Doctor Burke our Council in behalf of our Claim. The matter is deferred till to-morrow, and this may be a means of further delay. It is universally given up on all hands, that Mr. Burke did Justice to the Cause, and for my own part think we could not have been better served on or off the Continent. You must be informed, that in order to prepare the minds of our Judges, we found ourselves under a necessity of offering a surrender of the greater part of our claim to the Commonwealth in return for protection &c. In this affair, I hope you will think us right and be assured that in our negotiations proper regard will be paid to our Entry's. I cannot help observing that we may be much mistaken with respect to the opinion of the majority of the House, but believe they are much in our favour. This may be otherwise; to-morrow I hope will determine that question. No more of that. You in your last, which I received, asked what our Assembly were called for in August last. If I am not mistaken these reasons were given in a letter of mine from Halifax, and if not, no doubt you have received official notice of that matter before now, but if otherwise, the true reason Assigned by the Governor and approved by the House, was, that Congress had not sent us the 500,000 dollars requested and that it was impossible without money to march the new raised troops from the Militia without money. I wish your fears in Congress, may not be the Occasion of another Assembly before the first of January, to which it stands adjourned. I don't know what information you may have had about the enemy, but do not believe a Syllable of their design of carrying on a campaign in South Carolina.

Monday 2nd November—No answer has yet been given to the reasoning of Doctor Burke in our favour, but we are promised by some, a farther hearing to-morrow, or rather that the House will take up the Consideration of the affair. Mr. Willie Jones, one of our agents (and who has been of great service) sett off

home yesterday to the fair at Halifax. Mr. Johnston and myself only remain. God only knows what we shall be able to do. I shall not close this letter till something certain shall be done. News yesterday at 4 o'clock P. M. A vessel with a Flag arrived at Hampton, informing that fourteen passengers were on board from N. York, most of them refugees from this place, praying the priviledge of becoming again Citizens of this Commonwealth. A Committee was immediately appointed to Examine into their former Conduct & character, and report their opinion to the House. They went on the business and am now informed, that they will be ready to-morrow, to report in favour of four of them among which a Lady is included. The rest will be ordered away immediately. I am fully persuaded this will be done. We *here* think this occupation a very favourable Omen.

I have not yet mentioned the affair of the Manifesto. Inclosed are the Virginia papers containing a full account of that Transaction, to which I beg leave to refer.

I begin now to entertain great hopes of seeing you by Christmas or the first of January, as Dr. Burke, on receiving a letter lately from Mr. Harnett, has taken a resolution of being at Congress by the first of December. He cannot well perform that, but hopes he will be there soon after.

Some pages past I informed you that I expected corn would be £5 a barrel and pork not less than £10. There has none of these commodities been sold in our Country, but, since I came here, pork has sold for £10 Va. Money (a small parcel for family use) and I verily believe it will not be bought in our Country, even for less than £10 and I verily believe corn will not be bought long at £5. Our fodder is almost entirely destroyed and in short, we shall have but a bad time of it. Mr. Burton was at Petersburg as we came down, was advised of the high offers then lately made there for pork and I make no doubt conducted himself according with respect to your family as well as his own, immediately on his return.

My father seemed very thankful for the kind manner you mentioned him in your last, but has little hopes of ever seeing you again. He has had two years severe returns of his disorder since you went away, and I fear his dissolution must be near at hand. When I left home it was a very small Share of my hope that I

should ever see him in life; Mr. Burke, who came by afterwards informs that he had recovered that paroxysm, and I hope to find him on foot. In the fore part of this letter I informed you that Mrs. Williams was well. This was true, but you must not think from that expression that she was or has for some time been so well as I could wish. You know her, & I am sure, don't expect from her anxiety, that her spirits and health are not impaired. Truth is, that from our observation she is much so. You ought not to desert your duty to the public, but should come home as soon as you can, and determine between yourselves, whether so long a separation shall take place. You don't wait to be told that we all rejoiced much, on your easy recovery from the Small pox, but believe me, I am alarmed on your account. The pox was much too slight, & I am afraid that an ulcer or abcess will form in your Lungs, for want of a Sufficient discharge the other way of the disturbed matter—pray have you not an habitual cough? or do you feel no oppression in your breast? If either of these should be the case, consult some Physician, and do for the best.

On Thursday last you know the race between Sterne and Jason was to be run. Sterne did not before he went away give great proofs of his speed, but am in hopes he did the business. Mr. Willie Jones sent his man Austin, to keep Sterne, who was with him about a month before the day, who mended him greatly, but the rains was much against us. How this matter turned out, I shall in all probability know before you. I hope it will be well.

Friday 6th November.

You will not be astonished at any thing done by a Large assembly, when under the Circumstances which attend our Claim. Day before yesterday, the House of Delegates resolved that our claim to Transylvania was Void. We had several advocates in the house, I mean Gentlemen, who took some pains to prevent such a resolve and gave strong reasons in our favour, but upon putting the Question, there appeared by the Loud Voices in the affirmative against the feeble Negative that a Division on the Question was not required, so that I don't know how large the Majority were, in favour of this Act of power. The Senate has not yet concurred with the Delegates in this resolve, but am well persuaded they will, and therefore we are left to the Generosity of the Assembly

as to what reward we shall have, for Expence & Trouble. Here we have some small hope as the Delegates also resolved that as Henderson & Co., had been at very great Expense and trouble in carrying out many Families to that Country and rendered considerable service to the Commonwealth of Virg. &c., they should be reimbursed &c., but as you will best judge of the Temper of those Gentlemen By [the rest is lost.—Ed.]

HON. CORN. HARNETT TO HONBLE THOMAS BURKE ESQR. HILLSBOROUGH NO. CAROLINA.

Philadelphia Nov. 3rd 1778.

Dear Sir:

This is the fifth letter written to you since I received your favour, acquainting me that Mr. Hill and yourself were added to the Delegation from our State—I am in anxious Expectation of seeing you both here by the first of next month—as for our friend Hill, I have my fears that he will not proceed, but let me beg of you to come on & relieve me. I assure you without any Compliments Your presence in Congress is, I think, very necessary—but more of this when we meet. As for news I refer you to the inclosed Papers. We are not as yet certain, whether the Enemy intended the entire Evacuation of New York or not. Indeed I can not even venture to give my own Opinion. For God's sake come in time for me to return home—you know that I am older than you are & cannot stand Travelling after Christmas. I *desire* you will make it a point with Whitmel Hill to Accompany you. I shall have a pleasure in leaving him here to represent us—Spain has not yet declared war that we know of but we hourly expect the event.

I am in great haste Mr. House and Mr. Trist present their Compts. Dr. Sir

Your afft obedt Servt.

CORN. HARNETT

Honble Thos. Burke Esqr.

JOHN GREEN TO HIS EXCELLENCY RICHARD CASWELL ESQUIRE GOVERNOR &c &c.

[From MS. Records in Office of Secretary of State.]

New Bern, November 5th 1778.

Sir:

Inclosed is a Letter I just rec'd from Mr. McAustan which please to lay before the Council and any order that they may make thereon please to Inclose to me which I will forward to Ocracock Bar, to some of the Pilots, in order that he may see their Determination. The vessel that he is in belongs entirely to himself. In doing the above your Excellency will greatly oblige Sir,

Your most Obedient and very Humble Servant

JOHN GREEN.

N. B. Your Excellency was mentioning that you wanted some person to purchase provisions for this State. If you choose to appoint me I will act, as I have nothing to do with Jo. Green's purchases, he not having it in his power to appoint assistants. I did not think of this when you mentioned it.

COL. JAMES HOGUN 7th REGT. TO COL. JETHRO SUMNER, 3rd REGT.

Camp at West Point Nov. 7th 1778.

Dr. Sir:

I am happy in this favourable opportunity of Paying my respects to you, and sincerely wish these few lines may find you in perfect health, which Satisfaction you had been long since deprived of when we parted last. I met with some Disappointment when I arrived at North River, for when I had reached Tarry Town within 6 miles of our own Brigade at Head Quarters, I was to my Mortification ordered to march the Regiment to this place upon a working party, where we are disagreeably situated, being hemmed in by the River on one side, and a chain of broken rocky mountains on the other, and to increase the uneasiness, we cannot purchase such necessaries, as would be agreeable in Camp, but upon extravagant Terms, and very scarce. We have no news here, but

what you have no doubt seen in the papers, as nothing has transpired lately, but as the Disposition of our Army seems a little curious, I will acquaint you with it, as near as I can, and leave you to form Ideas of the meaning and design of their position at your leisure. General Gates commands a part at Boston, the Marquis de la Fayette and Sullivan at Rhode Island, Putnum at Hartford, McDougal at Farmington, Decalb at Fishkills. Mulenburg's brigade opposite to this place, who sends over a working party to assist us in building the forts here; Clinton's brigade is at Pecks kill, Scott with the light Infantry is near the White Plains, Lord Stirling with his Division is in the Jerseys near Elizabeth Town, and Arnold is at Philadelphia. The rest of the Carolina Brigade and one from Pennsylvania is at Fredricksburg where Head Quarters is at this time. This Arrangement of the Army seems a little mysterious, and may afford you some Study at a leisure hour. It is reported and I have great reason to believe that some of the Enemy's troops are embarked at New York, but their destination unknown. They have done little this fall, only Butchered a few light horse, and burned some houses in a little Town called Redford, and destroyed some stores in the neighborhood. I dnow of nothing more worth transmitting, so shall conclude with my Compliments to Mrs. Sumner. Sr.

Your humble Servt,

JAMES HOGUN.

[FROM THE WASHINGTON PAPERS, NO. 147, VOL. 2, P. 385.]

At a Board of War, Nov. 21st, 1778.

Present

Mr. Sherman
Mr. Lee
Mr. Peters

Agreed to Report to Congress,

That Capt. Medici of the North Carolina Dragoons having applied to the Board of Directors for his future Government, the Board beg leave to state the case of the said Troops;

That they have from an impracticability to provide for them,

been hitherto unemployed in the Field, except upwards of forty who were lately completely fitted out and sent to Genl McIntosh under Capt Ashe, under an Expectation that the men whose Times were nearly expiring would agree to stay for two months beyond their Engagements: But on or soon after their arrival at Fort Pitt, their Times being expired, all but 14 quit the service & went home.

That Capt. Medici having been sent to Carolina to purchase horses about 18 months ago, & having sent on a few, just before the Departure of Congress from York Town, the Board uneasy at his Delay for so immoderate a Length of Time, wrote to him and directed him to come to Philadelphia to settle his accounts. On his arrival we were informed that he had by order of Col. Bland who met with him at Halifax in N. Carolina, recruited upwards of 30 men for the Term of three years or during the War & gave them Furloughs with orders to meet him at Halifax the beginning of this month. He has also eleven men at Philadelphia.

That the whole of the said men are unprovided with clothing & accoutrements except some may have been provided in Halifax by order of Capt. Medici—have but few horses.

That from their not being annexed to any Corps, they cannot in the Opinion of the Board be of much utility to the States, unless they can be employed to the southward under Genl Lincoln; and then much Expense will accrue in fitting them out for the Field: Wherefore the Board beg leave to report that the case of these Troops be referred to the committee appointed for the Direction of the Southern Expedition.

By Order
RICHARD PETERS.

That as the United States have no further occasion for the services of the Troops of the Light Dragoons raised by, and when taken into Continental Pay, in the particular service of the State of North Carolina, the said Troops be no longer considered in the pay of the Continent. And they are hereby returned to the said Government of the said State to be retained in the pay thereof or discharged as they shall deem proper.

By Order
RICHARD PETERS.

Be paid up to the 1 January & that after that they be discharged. A motion being made for clothing for the said troops

Ordered that it be referred to the Board of War & that the board enquire into the state of the said troops and to supply them with such clothing as may be due to them.

[Endorsed]

Report Board of War
No Carolina Light Horse
Nov. 24th 1778.

MAJ. GEN. ROBERT HOWE TO PRES'T OF CONGRESS.

CHARLES TOWN So. CAROLINA, 24th Novr. 1778.

SIR:

The letter by Colo. Ternant inclosing a Resolve of Congress by which I am recalled, has been delayed by the Illness of the Colonel until a very few days since.

In obedience to that Order, I was just setting out when a letter, a copy of which I have the honor to transmit, arrived express from Georgia, the imminent danger of that State, rendered very weak in the part assailed, by the necessity there had been for detaching a considerable number of the Regular Troops to the westward, to prevent the Ravages of the Indians, induced me to think that it was incumbent upon me to fly to the assistance of Georgia, with what Troops could be spared from hence, and that a short delay in my setting out for the Grand Army, could be attended with no great inconvenience to the service in that quarter, and that the necessity I conceived Georgia to be in would plead my excuse with Congress. If, Sir, in this I have thought wrong, I flatter myself that Congress, whose candour I rely upon, will declare the Action from the Motives and do me the justice to believe, that my Conduct resulted from the firm persuasion I had, that I was promoting their service, and consequently pursuing the dictates of my duty, which it will ever be both my pride and pleasure to do.

In haste I am with the greatest esteem and respect Sir, Your most obt, very humL Servant.

To His Honor the President of Congress.

ROBERT HOWE.

ENDORSED:

Letter from Major Gen. R. Howe, Charlestown, Novr. 24, 1778, inclosing letter of 21 from Col. White notifying that Georgia is invaded—Read 22 Decr, 1778.

IN CONGRESS 5 Dec. 1778.

RESOLVED, That as the United States have no further occasion for the Service of the troops of light dragoons raised by and when taken into continental pay in the particular service of the State of North Carolina, the said troops be paid up to the first day of January, and after that date they be no longer considered in the pay of the continent, and that they be returned to the government of the said State to be retained in the pay thereof, or discharged as they shall think proper.

Ordered that the board of War settle and pay the accounts of the said dragoons. Ordered, That the board of War supply the said troops, with such cloathing as may be due to them.

Extract from the Minutes.

CHAS. THOMSON.
Secty.

NORTH CAROLINA GAZETTE January 9, 1778.

December 17.

Strayed from Camp near Halifax 12 of October last, two horses, viz: One a black horse 14 hands high, well made, paces, trots and gallops well, about 8 years old, lately branded on the off shoulder N. C., has a hanging mane, switch tail, and some saddle spots on the near side of his back. The other is a small flea bitten grey, trots hard, and is remarkably long in the back, and has some old brands not known, both belled when they strayed. Any person that will give information of the said horses to the owner in the camp in the 10th regiment, or my house in Dobbs County, shall be satisfactorily rewarded.

MATTHIAS HARVEY.

[From MS. Records in Office of Secretary of State.]

Cherokee County and Town of Chola, Dec. 23rd, 1778.

The under mentioned contains a talk delivered by the Raven of Chola, in Counsell, the day above.

My Father I am glad to see you well, I speak it again for all my Honest young fellows, they are all Glad to see you and hear of your wellfare, I thought I had you by the hand in your absence when I touched Flesh with the man you left me I looked on it I hold you by the hand, as though you the great Worior of North Carolina his hand I now Take hold of by Touching your flesh, his good talk I heard yesterday by you I hold it fast, when I think of that great Man, his talk seems as strong as Iron, and as bright as Silver. My Father this is the day I promised to give you an Answer; My talk will be short, as we have been these several days Talking good talks together, you Say you do not know what the great Men of North Carolina and Virginia will do with them Roages at Chuckemogo, yet if they do go against them you think the Whites will be very Angry. They have been so long Endeavoring to Convince them of their Error, we have been likewise doing the same, when I heard of them Roages going to your quarter, I sent a Runer And told him to make great haist, you Say you are Sure The good people of these towns, will not suffer by Means of them Roages, I am glad to hear it I believe it was their design to bring trouble on the whole nation, them Roages that did the Mischief is now gone to Pensecola I suppose to get paid for what they have done I think the white people have great cause to be angry with them, I hope there will not be the like Mischief done again: My Father I told you yesterday, I could not Spair you, nor would not let loos your hand, but I have Considered on it Since I heard your Reasons they were good I must loose hands but shall think much of you, and your good Talks I now take fast had of the Mouse or Ellis Harling as the white people call him Whom you leave with us to talk for you Until you hear from the great Wariour or great Council of North Carolina. you say you do not know who they will give or send us, Ellis Harling is the Man that we expect And on that account I loosed hands with you I do not know what the white think of him. but we look on

him as a warrior, we have known him A long time we know he will not tell lies, A stranger we do not want, I remember well you told me yesterday you did not throw us away but could not leave your family and live Altogether hear I did not Expect it of you when I first took you by the hand I knew you had a family, you was no Stranger, As I have loosed hands with you, and holds the same friendship I hope you will speak for us to the great warrior, and Council of North Carolina, I have told you the Man I want I now tell you I am very thankfull to you for your Many Services, and in particular, for assisting in the making Strong our Land mark both them Talks of the great Wariours of North Carolina I shall remember them well and keep in mind his promises, I thank him And his wariors for taking so great Care of us, to Confirm you in the truth of what I said give I you a String of White Beads.

FINIS.

NORTH CAROLINA GAZETTE January 9 1778.

NEWBERN, December 24.

Hamilton Ballantine late of the Island of Jamaica, attorney at law, acquaints the public that he purposes to reside in this State, where in the course of his practise he only wishes for such encouragement as his integrity to his clients and to the justness of their cause merits.

The laws being now open in their full latitude, he hopes for the promised encouragement of his acquaintances in different parts of this state, as he purposes to attend the superior courts in the respective districts.

North Carolina Gazette January 9, 1778.

State of North Carolina Dec. 27.

To be sold to the highest bidder, at the next superior Court in the town of Hillsborough, on the 27th day of March next pursuant to a resolve of the general Assembly:

The iron works on Deep River in the County of Chatham, with the appurtenances thereto belonging, also a large quantity of land containing timber and stone sufficient to support said works, and an inexhaustible fund of excellent Iron Ore. The premises will be shown any one desirous of seeing the same by Captain Balaam Thomson living thereon. Bond, with approved security will be required by the Commissioners.

EXTRACT FROM

Monthly Return of the Continental Troops Under the Command of His Excellency George Washington, Esq'r, General and Commander in Chief of the Armies of the Independent States of America. [U. S. State Dept., Washington Papers, Vol. 101, p. 66.]

For the Month of Decemb'r, 1778.		BRIGADES AND CORPS.	No. Caro.		
Officers Present Fit for Duty.	Field.	Colonel.	1	*	*
		Lieut. Colonels.	2	*	*
		Major.	1	*	*
	Commission'd	Captains.	5	*	*
		1st Lieutenant.	1	*	*
		2nd Lieutenants.	9	*	*
		Ensigns.	9	*	*
	Staff.	Chaplains.		*	*
		Adjutants.	2	*	*
		Pay Masters.	2	*	*
		Qr. Masters.	2	*	*
		Surgeons.	2	*	*
		Mate.	1	*	*
	Non-Commissioned.	Serg't Majors.	2	*	*
		Qr. Mr. Serg'ts.	2	*	*
		Drum Majors.	2	*	*
		Fife Major.	1	*	*
		Sergeants.	37	*	*
		Drums and Fifes.	36	*	*
Rank and File.		Present Fit for Duty.	542	*	*
	Sick.	Present.	51	*	*
		Absent.	109	*	*
		On Command.	230	*	*
		On Furlough.	4	*	*
		Total.	936	*	*
Wanting to Comp't.		Sergeants.		*	*
		Drummers & Fifers.		*	*
		Rank and File.		*	*
Alterations Since Last Return.		Dead.		*	*
		Discharged.		*	*
		Deserted.		*	*
		Transferred.		*	*
		Promoted.		*	*
	Joined.	Serg'ts.		*	*
		D. and Fifes.		*	*
		Rank and File.		*	*

ALEXD. SCAMMELL, Adj't Gen'l.

Roll of Captain Benjamin Coleman's Company in 2nd North Carolina Battalion Commanded by Colonel John Patten. White Plains, Sept. 9, 1778. [Army Returns. U. S. State Dept. Book No. 27. P. 30.]

No.	Names.	Rank.	Time Inlisted.	War.	Years.	Remarks.
1	Stephen Carman	Serg't		1		
2	Peter Rhem	Serg't	Feb. 10th, 1777			
3	Abram Burgess	Do.		1		
4	James Christian	Private	May 19th, 1777		3	
5	Mala Cotanch	Do.	Jan. 11th, '77		3	
6	William Harriss	Do.	Nov'r 7th, '76		3	
7	Akis Ellison	Do.		1		
8	Josiah Lilley	Do.	Nov. 7th, '76		3	On Light Infantry.
9	Jessy Woollard	Do.		1		
10	John Squars	Do.	May 22nd, '77		3	
11	Samuel Gainer	Do.		1		
12	Wallace White	Do.		1		
13	David Smith	Do.	Nov. 20, '76		3	
14	Silas Linton	Do.	Aug. 7, '76		3	
15	Thomas Jones	Do.	Sept. 28, '77		3	
16	Dudly Reardon	Do.	Aug. 25th, '77		3	
17	Charles Peters	Do.		1		
18	Lewis Wilford	Do.	Aug. 25, '77		3	
19	Thomas Gaddy	Do.	Mar. 21st, '76		3	
20	Thomas Reasons	Do.	Aug. 5, '77		3	
21	Osborn Clark	Do.	June 1, '77		3	
22	Gardner Moy	Do.	May 22nd, '77		3	
23	James Clark	Do.	Feb'y 7, '77		3	
24	Benjamin Aged	Do.	May 11, '76		2½	
25	Norris Baker	Do.	Ap'l 18, '76		2½	
26	Thos. Campain	Do.	Ap'l 18, '76		2½	
27	John Garland	Do.	Ap'l 29, '76		2½	
28	Fred'k Smith	Do.	Dec'r 5, '76		3	
29	John Lewis	Do.	Aug't 1, '77		3	
30	William Handley	Do.	July 28th, '77		3	

No.	Names.	Rank.	Time Inlisted.	War.	Years.	Remarks.
31	Richard Johnson	Private	Feb'y 9th, '77		3	
32	William Smith	Do.	May 13th, '77		3	
33	James King	Do.	Aug. 1, '77		3	
34	James Hughkins	Do.	Dec'r 4th, '76		3	
35	Elijah Hunt	Do.		1		
36	Charles Bright	Do.	Aug't 7, '77		3	
37	John Killingsworth	Do.		1		
38	Abram Fowler	Do.		1		
39	Hardy Hukins	Do.	May 1st, '76		2½	
40	William Richards	Do.		1		
41	David Sweat	Do.	Sept. 5th, '77		3	
42	Job Branch	Do.		1		
43	Stephen Truet	Do.	July 1st, '77		3	
44	Thomas Lane	Do.	May 1st, '77		3	
45	James Brasfield	Do.	July 5th, '77		3	
46	Joseph Cooper	Do.	Nov. 17, '77		3	
47	John O'Neal	Do.	Feb. 18th, '77		3	
48	James Pierce	Do.	Aug. 24, '77		3	
49	James Richards	Do.	Ap'l 23, '77		2½	
50	David Riskey	Do.	Aug. 9, '77		3	
51	Samuel Williams	Do.	Nov. 10, '77		3	
52	Edward Magell	Do.	July 28, '77		3	With the Forage Mas'r.
53	Sikes Garress	Do.	May 4th, '77			At the Commissary's.
54	Moses Reed	Do.	May 4th, '77		3	At Prince Town, sick.
55	Edward Lucas	Do.		1		At Yellow Springs.
56	Marmaduke Moor	Do.	Nov. 1st, '77		3	Sick at Do.
57	Ben Atkins	Do.	Dec. 10, '77		3	At Valley Forge, sick.
58	Caleb Taylor	Do.	Nov. 5th, '77		3	At the Yellow Springs.
59	Burrel Loyd	Do.		1		Sick at Prince Town.
60	John Jeffries	Do.				Butcher.
61	William *	Do.				
62	Thomas *	Do.				

BEN COLEMAN, Capt. SAM'L BUDD, 1st Lieut. STEPH'N SOUTHALL, Lieut.

(*—Sirname illegible—apparently erased. Graham Daves.)

Roll of Captain Clement Hall's Company in the 2nd North Carolina Battalion, Commanded by Colo. John Patten. White Plains, Sept. 9th, 1778. [Army Returns. U. S. State Dept. Book 27. P. 31.]

No.	Names.	Time Enlisted.	Time Engaged.		Remarks.
			War.	Years.	
1	Bennet Morgan				
2	John Hammon	May 9th		2½	
3	John Dudly	7th Ap'l		3	
4	Henry Johnston		1		
5	Robert Brownby		1		
6	George Brownrigg	7 July		3	
7	Josiah Douge		1		
8	Kader Phelps	1 May, '77		3	
9	William Davis		1		
10	Franklin Truit		1		
11	Thomas Thomas	14 May, '76		2½	
12	Clement Godfrey		1		
13	James Harris		1		
14	Eleamus Quinby	4 May, '76		2½	
15	James Echols		1		
16	John Delaney	1 Apri , '77		3	
17	James Amos	25 May, '77		2½	
18	Hezekiah Shirmentine	20 Dec'r, '76		3	
19	James Martin	4 May, '77		3	
20	Isaac Pivikins	16 May, '77		3	
21	Martin Black	16 May, '77		3	
22	John Steward			3	
23	Nicholas Irvin	7th Oct., '76	1		
24	Robert Watson		1		
25	Demsey Marlow	1 July, '77		3	
26	William Banks		1		
27	Archib'd Butts			3	

No.	Names.	Time Enlisted.	Time Engaged.		Remarks.
			War.	Years.	
28	James Martin	15 July, '76		2½	
29	Robert Carter			2½	
30	Isaac Cornelius	14 May, '76		2½	
31	Edward Lewis	7 May, '76		3	
32	Cadar Copeland			3	
33	Thomas Davis			3	
34	Henry Martin	7 Nov., '76		3	
35	John Smith	7 Nov., '76		3	
36	Asa Thomas	29 Ap'l, '76		2½	
37	Levi Right	7 May		3	
38	William Gaskins		1		
39	Joseph Casway	26 March, '76			
40	William Caps	27 May, '77		3	
41	John Howell	17 June		3	
42	Demsey Jenkins	19 June		3	
43	Richard Morgan	26 July		3	
44	Charles Ellums	28 Octo., '76		2½	
45	William Boon			3	
46	William Burnett			3	
47	Isaac Carter			3	
48	Willis Thompson			3	
49	Thomas Cox	1 June		3	
50	Douglas Carroll			3	
51	Peter McDougal		1		
52	John Weaver			3	
53	James Coggin		1		
54	Matthew Dawson		1		
55	Jacob Burke		1		
56	James Gifford			3	
57	Asa Davis		1		
58	Hardy Pierce				Orderly at the V. Forge.

No.	Names.	Time Enlisted.	Time Engaged.		Remarks.
			War.	Years.	
59	Adam Scott		1		Orderly at the V. Forge.
60	William Bryan				
61	Marmaduke Maples	1 Jan'y, '77		3	
62	John Carter		1		
63	John Sharply		1		
64	William Butts			3	
65	James Saunders			2⅓	Sick Yellow Springs.
66	David Vance			2⅓	Do. Do.
67	Elijah Vance			2⅓	Do. Do.
68	John Conner			3	Sick Valley Forge.
69	Isaac Deal		1		
70	Sesar Sautee			3	
71	John Hambleton		1		Sick Brunswick.
72	Samuel Simpson			2½	Do. Valley Forge.
73	William Bugg			2½	Do. Yellow Springs.
74	John Mann			3	Do. Lancaster.
75	Jacob Owens			3	

CLEM HALL, Capt.
JESSE REED, Lieut.

Roll of Captain John Ingles's Company, 2nd North Carolina Battalion, Commanded by Colo. John Patton.
[U. S. State Dept. Army Returns, Book 27, P. 29.] Sept. 9, 1778.

No.	Names.	Inlisted.	War.	Years.	Remarks.
1	Solomon Berry, Serg't		1		
2	Ransom Savage, Do.	June 2nd, '77		3	
3	Matthew Gallop, Do.		1		
4	Sampson Dillard, Corp'l		1		
5	Noah James, "	Nov, 7th, '76			
6	Dan Dunbarr, "	12 Jan'y			
7	Isaac Geldin, Fifer	7th Nov'r			
8	Abell Littin, Drum'r	1st Decem			
9	Thomas Anderson, Private	18 Decem			
10	John Berry, Private	9th Nov	1		
11	Joseph Brown	9th Nov			
12	Balam Bullock		1		
13	John Curry		1		
14	John Collings	18th March		2½	
15	Shade Cowny	30 May, '77			
16	Richard Coddle	1st Nov., '76			
17	Frederick Davis	18 Decem		3	
18	John Ember	26 July, '77		3	
19	John Ellett	16 June			
20	Thomas Grigory		1		
21	William Griffin		1		
22	John Glover	27 Ap'l, '76		2½	
23	Kinchin Hollomon	4 May		2½	
24	Samuel Littin	18th Decem		3	
25	John Lynch		1		
26	Frederick Moore		1		
27	Phillip Pinkum	12th Aug., '77		3	
28	John Ridgway		1		
29	James Rooper	7th Ap'l		3	
30	John Stevens		1		
31	Gideon Simmons	2 May		3	

No.	Names.	Inlisted.	War.	Years.	Remarks.
32	Benj'n Smith	20 Aug't		3	
33	Corbin Waymouth	18 Dec., '76		3	
34	William Williams	5th May		2½	
35	William Thomson	26 Ap'l		2½	
36	Hopkins Dye	4th Jan'y, '77		3	
37	Robert Fosett	20 Nov., '77		3	
38	Nathan Ewell	29 Aug		3	
39	Jeremiah Beamon		1		
40	Jiles Carter	1st March		3	
41	Malachi Molbone		1		
42	Thomas Moore		1		
43	Jeremiah Perrey	29 Ap'l, 76			
44	Samuel Rowe	9 Do.			
45	Caleb Smith		1		
46	Darling Madree	26 Ap'l, '76			
47	Josiah Stafford	5 July, '77		3	
48	John Toxa		1		
49	Henry Johnson	29 May		3	
50	Thomas Spain	10 Feb'ry		3	
51	Isom Pulley	5 May, '76		2½	
52	John Paterson		1		
53	Jacob Matthews		1		
54	Thomas Brown		1		Sick Valley Forge.
55	John Brooks	15 May		2½	Do. Do.
56	William Drew		1		
57	Thomas Danagan		1		
58	William Ferns	28 June, '77		3	Do. Do.
59	Daniel Humphries	18 March, '86		2½	Do. Do.
60	William Proctor	15 May		2½	Do. Prince Town.
61	William Seaborn		1		Do. Valley Forge.
62	John Sheppard		1		Do. Do.
63	John Taylor		1		Do. Prince Town.
64	Avery Tillet		1		
65	Joseph Taylor		1		Do. Valley Forge.

No.	Names.	Inlisted.	War.	Years.	Remarks.
66	John Young	3 May		2¼	Sick Valley Forge.
67	Phillip Burges		1		
68	Samuel Pope	5th May, '77		3	Do. Do.
69	Thomas Daffell	10th Febr'y		3	Do. Prince Town.
70	William Fryer	3 May, '76		2½	Do. Valley Forge.
71	Thomas Quin	5th May, '77		3	Do. Prince Town.

JOHN INGLES, Capt.
ARTHUR COTGRAVES, Lieut.

Roll of Captain Robert Fenner's Company, Second North Carolina Battalion, Commanded by Col. John Patton.
Camp White Plains, 9th September, 1778. [U. S. State Dept. Book 27, "Army Returns." P. 32.]

No.	Names.		When Enlisted.	Enlisted for		Remarks.
				War.	Years.	
1	James Scandrett	Sergeants.	10th August, '76		2½	
2	Patrick Campbell		19th Do.		2½	
3	Thomas Smith		26th Novem.		3	
1	John Mathews	Corporals.	25th Decem'r		3	
2	Jonathan Hopkins		21st Novem'r		3	Sick Princeton.
3	John Parkerson		16th Ap'l		2½	Do. Brunswick.
1	Samuel Grey	Drums & Fifes.	2 June, '77		3	
2	Thomas Taunt		26 Ap'l		3	
1	James Barnes			1		
2	George Nickols			1		
3	John Pond			1		
4	John Thomas			1		
5	Aaron Wilson			1		
6	George Brooks		2 June, '77		3	
7	Jesse Taunt		26 April		3	
8	William Taunt		26 April		3	
9	Edward Hutchins		21st Nov'r, '76		3	
10	Isaiah Vick		16th Sept., '77		3	
11	Jesse Nelson		12 May		3	
12	Thomas Cole		26 Nov., '76		3	
13	William Pate		29 Jan., '77		3	
14	James Brown		1st July, '77		3	
15	James Paramore		5 May		3	
16	Jesse Rickerson		27th March		3	

No.	Names.	When Enlisted.	Enlisted for		Remarks.
			War.	Years.	
17	William Grey	27 April		3	
18	Stephen Rogers	17 August		3	
19	William Stewart	27 June		3	
20	Michael Watson	26 Nov'r		3	
21	Stephen Cook	10th Decem., '76		3	
22	Abraham Taylor	27 March, '77		3	
23	James Taylor	27 March		3	
24	Charles Williamson	26 Nov'r		3	
25	Thomas Blanchett	25 June		3	
26	John Smith	28 July		3	
27	John Lawson Arthur	27 March, '77		3	
28	Bagley Benson	10th Decem		3	
29	David Dawley	29 April		3	
30	Felix Simons	26 Novem., '76		3	
31	Thomas Tiffen	22 October		3	
32	James Herrard	13 May		3	
33	Thomas Angle	12 May, '77		3	
34	John Moseley	21 Febru		3	
35	Benjamin Davis	2 May		3	
36	Aaron Lambert	25 April		3	
37	Joseph Babb	4 June, '77		3	
38	Daniel Johnston	16th Septem		3	
39	Jordan Ammons	20 April		3	
40	Thomas Carraway	5 May		3	
41	Richard White	2 Oct., '76		2½	
42	John Fooks	25th May		2⅓	
43	Benjamin Womble	16 April		2½	
44	Hansford Whithey	22 April		2⅓	
45	William Peoples	1st April		2½	
46	Arthur Parker	16th April		2⅓	
47	Samuel Wheeler	10 April		2½	

No.	Names.	When Enlisted.	Enlisted for		Remarks.
			War.	Years.	
48	Barzil Welsh	1 Novem		2	
49	Ebenezer Hoskins	1st April, '77		3	Furlough.
50	Isaac Carter	1st Septem		3	Sick Springfield.
51	Elisha Lewis	29th June, '76		3	
52	Jesse McDowel	1st June, '77		3	Sick Valley Forge.
53	James Pierce	24th Aug., '77		3	
54	Henry Spill	5th May, '76		3	
55	Hardy Hines	16th April		2½	Sick Lancaster.
56	David Grant		1		
57	John Ellis	27th April		2½	Sick Valley Forge.
58	John Clark	6 May		2½	
59	William Baker			3	Sick Georgetown.
60	Francis Fox				
61	Roger Parson				
62	John Wallis				Sick Valley Forge.
63	William Baker				
64	Isascl Gregory				
65	James Gilbert				

ROBERT FENNER, Capt.
JAMES CAMPEN, 1st. Lieut.
NATHANIEL LAWRENCE, 2nd Lieut.

Roll of Colo. John Patton's Company in the 2nd North Carolina Battalion, Commanded by Colo. Patton, specifying the terms Enlisted, and the time engaged to serve.

[U. S. State Department, Book 27, P. 35, Army Returns.] White Plains, September 9th, 1778.

No.	Names.	Time Enlisted.	Time Engaged to Serve.		Remarks.
			War.	Years.	
1	David Spiers, Sergt. Major	Dec. 26, '76		3	
2	Authur Boice, Qr. M. Sergt			3	
3	John Lacy, Sergt		1		
4	Phinehas Lathem, Sergt		1		
5	Reuben Yarberry, Sergt	Apl. 24, '76		2½	
6	Phillip Mason, Drum Major		1		
7	Thomas Tiack, Fife Major		1		
8	John Worsley, Drumr	June 28, '77		3	
9	John Darrem, Fifer	June 28, '77		3	
10	James Tisen, Corpl	Dec. 19, '76		3	
11	Benj'n Johnson, Corpl	Dec. 26, '76		3	
12	Peter Dunnick, Corpl		1		
13	Epps Spain, Private		1		
14	Joseph Nash		1		
15	Joseph Messick		1		
16	Francis Williams		1		
17	John King		1		
18	Thomas Garrott		1		
19	Noah Fair		1		
20	Thomas Waldren		1		
21	Simon Alderson		1		
22	William Sexton		1		
23	John Davis		1		
24	James Erven		1		Sick at Valley Forge.
25	James Gamberlin	Dec. 14, '76		3	

No.	Names.	Time Enlisted.	Time Engaged. to Serne.		Remarks.
			War.	Years.	
26	Eli Rogers	Aug. 12, '77		3	
27	Miles Privett	Novr. 15, '76		3	
28	Joseph Bailey	Dec. 1, '76		3	
29	John Clements	Apl. 24, '77		3	
30	Joseph Hartley	June 27, '77		3	
31	Thomas Bryant	June 1, '77		3	
32	James Underhill	May 12, '77		3	
33	Daniel Venters	Sept. 12, '77		3	
34	William King	June 7, '77		3	
35	Henry Singleton	Feb. 22, '77		3	
36	William Caps	June 24, '77		3	
37	Benjamin Messer	June 1, '77		3	
38	William Charlton	June 3, '77		3	
39	William Smith	Decr. 18, '76		3	
40	John Conner, Sr	Sept. 2, '77		3	
41	Elisha Williams	Dec. 18, '76		3	
42	Robert Meeks	Dec. 5, '76		3	
43	William Meeks	May 3, '76		3	
44	Isaac Gallop	May 22, '77		3	
45	Abraham Hays	May 4, '77		3	
46	Joseph Aldridge	Dec. 18, '76		3	
47	Cornelas Bray	Aug. 15, '77		3	
48	Frederick Blanchet	Aug. 28, '77		3	
49	James Reade	Sept. 14, '77		3	
50	William Dove	June 26, '77		3	
51	Henry Tison	Dec. 19, '76		3	
52	Hugh Stephenson	Apl. 25, '77		3	
53	James Phelps	May 4, '77		3	
54	James Ives	Nov. 15, '76		3	
55	Enos Bizzel	Sept. 10, '77		3	
56	James Nicholas	Apl. 15, '76		3	

No.	Names.	Time Enlisted.	Enlisted for to Serve.		Remarks.
			War.	Years.	
57	Arthur Tayner	Novr. 15, '76		3	
58	James Townen	Dec. 15, '76		3	
59	John Myers	Aug. 21, '77		3	
60	William Cox	June 3, ,77		3	
61	Bryant Worsley	Apl. 15, '77		3	Orderly at Valley Forge.
62	John Cooke	Apl. 21, '77		3	Sick at Princetown.
63	John Peacock	Sept. 10, '77		3	Sick at Valley Forge.
64	James Simons			3	
65	George Moye	May 11, '76		2½	
66	Josiah Davis	Apl. 25, '76		2½	
67	Alexander Scull	Apl. 21, '77		2½	
68	James Barrow	May 10, '76		2½	
69	David Poe	May 15, '76		2½	
70	Jesse Wooten	Sept. 9, '76		2½	
71	John Striker	May 10, '86		2½	

JOHN CRADDOCK, Capt.
WILLIAM FERRELL, Lieut.

Roll of Lieut. Colo. Harney's Company, 2nd N. Carolina Battalion, Commanded by Colo. John Patton.
[U. S. State Dept. Army Returns. Book 27, P. 34.] Sept. 9th, 1778.

No.	Names.	Enlisted.	War.	Years.	Remarks.
1	John Wood	Octo. 20, '76		3	
2	Abel McPherson		1		
3	William Robinson	Sept. 2, '77		3	
4	Shubal Claghorn		1		
5	James Griffin	Dec. 1, '76		3	
6	James Bundy	March 13, '77		3	
7	William Spain	Do. 10, '77		3	
8	Jacob White, Jun'r	Ap'l 27, '77		3	
9	William Boyd	June 14, '77		3	
10	Mason Broom	Ap'l 2, '76		2½	
11	Willis Barrow	Dec. 17, '77		3	
12	Robert Chumner	June 27, '77		3	
13	Zachariah Davis	Nov. 8, '76		3	
14	Abraham Denny	July 13, '77		3	
15	Rob't Ellis	Sept. 3, '76		3	
16	Fred'k Hathcock	Ap'l 20, '76		2½	
17	Jesse Lane	March 1, '77		3	
18	Melone Mullen	Ap'l 10, '76		2½	
19	Wm. Nichols	Nov'r 4, '77		3	
20	James Purdie	May 24, '77		3	
21	James Moore	Do. 2, '76		2½	
22	John Raiper	Dec. 22, '76		3	
23	Phillip Shackly	March 23, '76		2½	
24	John Thomas	Do. 3, '77		3	
25	Sutton Truheek	Aug. 12, '76		3	
26	Francis Westerdale	March 30, '76		3	
27	Joel Wall	Aug. 13, '77		3	
28	George Willis		1		
29	Duncan Curry	Oct. 24, '77		3	
30	Jabesh Elliot	Nov. 10, '76		3	
31	John Wallace	June 4, '77		3	

No.	Names.	Enlisted.	War.	Years.	Remarks.
32	Shad'k Cummins	June 6, '77		3	
33	Thos. Harrison	Dec. 21, '76		3	
34	Jacob White, Sen'r	Ap'l 21, '77		3	
35	Ben Collins	Sept. 8, '76		3	
36	Dan'l Miller	Aug. 16, '77		3	
37	Moses Brown	July 28, '77		3	
38	Joseph Phillips	Do. 1, '77		3	
39	Isaac Fonvielle	Ap'l 21, '77		3	
40	Major Glanders	Sept. 9, '77		3	
41	John Little	Sept. 25, '76		3	
42	Elijah Cotton	July 1, '77		3	
43	Jo. Bartholomew	Ap'l 20, '76		2½	
44	Rich'd Webster	Dec. 23, '76		3	
45	Thos. Jones	May 10, '76		2½	
46	John Dew	Do. 13, '77		3	
47	Michael McKeel	May 10, '76		1½	
48	Valentine Lucas	Ap'l 22, '76		2½	
49	William Reason	Sept. 10, '76		3	
50	Jesse Shute	Nov'r 3, '76		3	
51	Absalom Spires	May 10, '77		3	
52	Josiah Stringer	Dec. 1, '76		3	
53	William Thomas		1		
54	Phillip Jones	Sept. 4, '77		3	
55	Zachariah Hathcock	'77		3	
56	Major Russell	'76		3	
57	William Pope	'77		3	On Commd. Jersey.
58	David Deafnel	May 20, '77		3	Sick Hos'l in Camp.
59	Will'm Deafnel	May 20, '77		3	Ditto. Ditto.
60	Willis Hastings	Jan'y 27, '77		3	
61	Archd. Hood	May 2, '76		2½	
62	John Hill	Do. 7, '76			
63	James Stewart	July 24, '77		3	
64	Jacob Hewling		1		Burlington.
65	William Smith	Dec. 20, '76		3	Sick Morristown.

No.	Names.	Enlisted.	War.	Years.	Remarks.
66	Henry Miller		1		
67	John Warner	May 2, '76		2½	
68	Rob't Raiper	Dec. 22, '76		3	
69	Joseph Alexander	Ap'l, '77		3	Sick Morristown.
70	Charles Burke			3	Ditto. Ditto.
71	Ben Bridges	'76		2½	Ditto Yellow Springs.
72	Thos. Davidson	'77		3	Ditto V. Forge.
73	Joseph McGraw			3	Ditto Y. Spring.
74	Amos Lewis			2½	On Furlough.
75	Michael Delaney		1		Ditto.
76	Ben Simmons		1		Ditto.
77	Edmund Griffin	'77		3	Excellency's Guard.

CHARLES STEWART, Lt.
STEPH'N SLADE, Ensigne.

Roll of Major Hardy Murfree's Company, in 2nd N. Carolina Battalion, Commanded by Colonel John Patton.
White Plains, Sept'r 9th, 1778. [U. S. State Dept. Army Returns, Book 27, P. 33.]

No.	Names.	Time Enlisted.	Time Engaged.		Remarks.
			War.	Years.	
1	Anthony Crutcher, Serg't	14 May, '77		3	
2	Jchn Poulson, Do.	11 May, '76		2½	
3	Samuel Stringer, Do.	" "		2½	Sick Valley Forge.
4	John Mardsay, Corp'l	13 May, '76		2½	
5	Willis Wiggins, Do.	17 April, '76		2½	
6	Pearson Peal, Do.	22 June, '77		3	
7	William Pouder, Drum'r	30 June, '77		3	
8	Ezekiel Whaley, Fifer	20 July, '77		3	
9	Kadar Banton, Priv't	16 April, '76		2½	
10	Thomas Metisuck	16 April, '76		2½	
11	Hardy Bird	1 July, '77		3	
12	William Saunderson	1 Feb'y, '77		3	
13	Samuel Baxter	22 Nov., '76		3	
14	James Pulley	12 May, '76		2½	
15	John Harvey	17 Sept., '76		3	
16	Balitha Tilmon	2 June, '77		3	
17	Miles Knight	9 Nov., '77		2½	
18	William Scott	3 May, '77		2½	
19	Andrew Wilkins	2 May, '77		3	
20	James Roberts	" "		3	
21	Arthur Foorms	12 July, '77		3	
22	Reuben Knight	16 April, '76		2½	
23	William Sweat	20 April, '76		2½	
24	William Thurston	16 April, '76		2½	
25	Robert Jinkins	29 Ap'l, '76		2½	
26	William Mitchell	2 June, '77		3	
27	Abel Edmunds	13 Feb., '77		3	

No.	Names.	Time Enlisted.	Time Engaged.		Remarks.
			War.	Years.	
28	Jacob Brabsy	9 May, '76		2½	
29	William Farmer	29 Ap'l, '76		2½	
30	Spinencoy Raifield	10 May, '76		2½	
31	John Skinner	1 May, '76		2½	
32	Thomas Dyson	19 Jan'y, '77		3	
33	John Havigrooves	19 May, '77		3	
34	Humphrey Callahan		1		
35	Thomas Scott	16 June, '77		3	
36	John Husk		1		
37	William Hoggard	29 Ap'l, '76		2½	
38	Samuel Carter	26 Ap'l, '76		2½	
39	William Church	12 May, '76		2½	
40	Hezekiah Jones	11 April, '76		2½	
41	Arthur Whilley	2nd May, '76		2½	
42	Mathew Hevring	8 July, '77		3	
43	John Skean	24 July, '77		3	
44	Nathaneal Cooper	5 May, '76		2½	
45	Ephraim Hooks	9 May, '76		2½	
46	Alexander Flood	4 July, '77		3	
47	John Tilmon	1 July, '77		3	
48	Theophilus Hays	3 March, '76		2½	
49	Andrew Saunders	1 Feb'y, '77		3	
50	William Swinson	1 Feb'y, '77		3	
51	Francis Copes	29 March, '77		3	
52	Robert Williams				At Shoe Factory.
53	Richard Roberts				Waggoner.
54	Morson Williams				Do.
55	William Powell	7th Oct., '77		3	Qr. Master Gen'l Depart.
56	Brien Smith				Waggoner.
57	John Parrish	1 Sept., '76		2½	Do.
58	John Stringer				Sick Valley Forge.

No.	Names.	Time Enlisted.	Time Engaged.		Remarks.
			War.	Years.	
59	Stephen Emery	1 Feb'y, '77		3	Sick Valley Forge.
60	Francis Sumner				Do.
61	Archib'd Henderson	1 Dec'r, '75		3	Do.
62	Mark Waycroft	13 June, '77		3	Sick at Gen'l Hospittle.
63	Joseph Seaborn	1 Feb., '77		3	Do.
64	Isaac Rhoads			2½	Sick Amwell Church.
65	Michael Bull			3	Sick at Lancaster.
66	David Wall				Do.
67	Elisha Mills	9th Nov., 77		3	Do.
68	Thomas Pierce			2½	Sick at Reading.
69	Thomas Pridgen				Do.
70	Abraham Therrell	2 July, '77		3	Sick at Princetown.
71	William Jones	2 July, '77		3	Sick at Brunswick.
72	William Tilmon	1 July, '77		3	Do.
73	John Cummin			2½	Sick Georgetown, Maryland.
74	Solomon Jinnett	1 Feb'y, '77		3	His Excellency's Guard.

THOS. EVANS, Lieut'n.
RICHARD ANDREWS, Ensign.

Roll of Capt'n Thomas Armstrong's Comp'y, 2nd North Carolina Battalion, Commanded by Colo. John Patton.
[State Dep't, Washington, D. C., Bureau Rolls & Library. Book Army Returns, No. 27, P. 36.]
Sept. 10th, 1778.

No.	Names.	Enlistment.	War.	Years.	Remarks.
1	Arch'd Boyle		1		
2	Sam'l Gover		1		
3	Charles Webb		1		
4	John Richardson		1		
5	Edward Stradley		1		
6	Thomas Best		1		
7	Thos. McDaniel		1		
8	John Smith		1		
9	David Ambrose		1		
10	Frederick Bates		1		
11	Caleb Dolly		1		
12	Joshua Harvey		1		
13	Skidmore Squires		1		
14	George Phillips		1		
15	Wm. Brian		1		
16	Francis Thorogood		1		
17	George Cole		1		Waggoner.
18	Jeremiah Smith		1		Sick Valley Forge.
19	Hezekiah Linton		1		Excell'y Guard.
20	Peter Harrell			3	
21	Bigford Garriss	May 1, '777		3	
22	Drury Binham	Dec'r 16, '776		3	
23	Thomas Jirmins	Dec. 20, '776		3	
24	John Upton	Dec. 14, '776		3	
25	Benjamin Dun	Ap'l 2, '777		3	
26	Robert Jackson	June 1, '777		3	
27	James Jones	Nov'r 10, '776		3	
28	James Sirks	Oct. 24, '776		3	
29	Malaha Wiggins	Oct. 10, '777		3	

No.	Names.	Enlistment.	War.	Years.	Remarks.
30	Isaac Hays	May 31, '777		3	
31	Joshua Webb	May 20, '777		3	
32	William Flood	July 1st, '777		3	
33	John Webb	Sept. 1, '777		3	
34	James Wiggins	Aug. 12, '777		3	
35	Sterling Dun	June 5, '777		3	
36	John Anderson	Oct. 24, '776		3	
37	Stephen Chance	July 1, '777		3	
38	John Cotton	June 15, '777		3	
39	Philamon Chance	July 1, '777		3	
40	Holland Johnston	May 20, '776		3	
41	Henry Albertson	Oct. 24, '776		3	
42	David Haulborn	Nov. 29, '776		3	
43	Jacob Jones	Nov. 12, '777		3	
44	Amose Passmore	Oct. 24, '776		3	
45	John Calwell	Mar. 12, '777		3	
46	John Atkinson	May 26, '777		3	
47	James Bond	Jan'y 15, '777		3	
48	Thomas Smith	Oct. 24, '776		3	
49	Sovereign Biokam	Nov. 29, '776		3	
50	Daniel White	Oct. 24, '776		3	Sick Valley Forge.
51	Marmaduke Barfield	May 4, '777		3	Sick Valley Forge.
52	Barnabas Davant	Aug. 31, '777		3	Sick Valley Forge.
53	Peter Bateman	July 12, '777		3	Sick Valley Forge.
54	Abraham Tison	'777		3	Yellow Springs.
55	William Green	July 2, '777		3	
56	Richard Downams	'777			Sick Quaker Meet'n House.
57	Thompson Curry	May 4, '776		2½	
58	John Blanchard	Oct. 11, '776		2½	
59	Nath'l Dobey	Ap'l 23, '776		2½	
60	George Marshall	Ap'l 22, '776		2½	
61	Drury Ham	May 15, '776		2½	
62	Robert Acock	April 20, '776		2½	
63	Wm. Williamson	April 16, '776		2½	

No.	Names.	Enlistment.	War.	Years.	Remarks.
64	Charles Butler	April 20, '776		2½	
65	John Bullock	April 20, '776		2½	
66	Henry Starke	May 15, '776		2½	Cloth'r Gen'l Guard.
67	John Barganiear	" "		2½	Waggoner.
68	Simon Smith	Ap'l 27, '776		2½	Sick Valley Forge.
69	Elijah Hanish	Ap'l 20, '776		2½	

THOMAS ARMSTRONG, Capt'n.
CHARLES GERRARD, 1 Lieut.
JAMES VERRIER, Ensigne.

Return of Soldiers of the 2nd North Carolina Battalion, Reinlisted during the War, Agreeable to Resolves of Congress and General Orders. Paramus, March 12th, 1779.

No.	Names.	Expiration Former Enlistment.	Bounty p'd in Dollars.	To Officer for each Man.
	Col. Patton's Comp'y			
1	James Ives	15 Nov., '79	100	10
2	James Simmons	25 Dec., '79	100	10
3	James Read	8 Sept., '80	100	10
4	John Durremfiss	22 June, '80	100	10
	Lt. Col. Harney's Comp'y.			
5	George Willis	10 Oct., '79	100	10
6	James Stewart	24 July, '80	100	10
7	Zachariah Hathcock	4 June, '80	100	10
8	Shadk Cummins	6 Aug., '80	100	10
9	Joel Wall	7 Aug., '80	100	10
10	Jesse Lane	1 Mar., '80	100	10
11	John Wallace	4 June, '80	100	10
12	Charles Burke	27 May, '80	100	10
13	John Gunnell	1 June, '80	100	10
	Major Murfree's Comp'y.			
14	Pearson Peal	22 June, '80	100	10
15	Miles Knight	9 Nov., '80	100	10
16	John Stringer	31 July, '80	100	10
17	Thomas Dyson	9 Jan'y, '80	100	10
18	Mathew Herrin	8 July, '80	100	10
19	Mark Haycraft	13 June, '80	100	10
20	Ezekial Wheely	20 July, '80	100	10
21	Belisha Tilman	2 June, '80	100	10

No.	Names.	Expiration Former Enlistment.	Bounty p'd in Dollars.	To Officer for each Man.
22	William Swinson	1 Jan'y, '80	100	10
23	Patrick Brown	12 June, '80	100	10
24	Andrew Wilkins	12 May, '80	100	10
25	Samuel Baxter	22 Nov., '79	100	10
26	Hardy Bird	1 July, '80	100	10
27	John Skien	24 July, '80	100	10
	Capt. Williams' Comp'y, L. I.			
28	Elisha Grant	16 Sept., '80	100	10
29	Thomas Geddy	26 Mar., '79	200	10
30	John Howell	17 Jan'y, '80	100	10
31	John Smith	17 July, '80	100	10
32	William King	7 Jan'y, '80	100	10
33	Moses Brown	28 July, '80	100	10
34	John Clemmons	20 April, '80	100	10
35	Joseph Lilley	7 Nov., '79	100	10
36	Henry Martin	7 Nov., '79	100	10
37	Jesse Shute	13 Decr., '79	100	10
38	John Parkerson	15 Oct., '78	200	10
39	Abraham Houston	29 May, 79	200	10
40	James Ansley	17 Nov., 79	100	10
41	Henry Singleton	23 Feby., '80	100	10
42	Bryant Worsley	15 Mas, '80	100	10
	Capt. Hall's Comp'y.			
43	William Burnett	15 Nov., '80	100	10
44	Joseph Causway		100	10
45	Cæsar Santee	22 Feb., '80	100	10
46	Kader Copeland	11 Sept., '80	100	10
47	Dempsey Marlo	1 Aug., '80	100	10

No.	Names.	Expiration Former Inlistment.	Bounty p'd in Dollars.	To Officer for each Man.
48	John Delany	1 Aug., 80	100	10
49	Bennet Morgan	7 Nov., '80	100	10
50	George Browning	4 July, '80	100	10
51	John Stewart	1 Aug., '80	100	10
52	Marmaduke Malpes	22 Feb., '80	100	10
53	Levi Wright	7 May, '80	100	10
	Capt. Coleman's Comp'y.			
54	Thomas Jones	28 Sept., '80	100	10
55	Arch Butts	20 May, '81	100	10
56	James Hukins	4 Dec'r., '79	100	10
57	Lewis Willford	25 Augt., '80	100	10
58	James King	1 Augt., '80	100	10
59	David Sweat	5 Sept., '80	100	10
60	George Wallace	1 April, '80	100	10
61	Edward Majett	28 July, '80	100	10
62	James Pearce	24 Aug., '80	100	10
63	William Handley	28 July, '80	100	10
64	Marmaduke Moore	2 Nov., '80	100	10
65	Stephen Trent	1 July, '80	100	10
66	William Harris	7 Nov., 79	100	10
67	Malachi Cotanch	11 Jany., '80	100	10
68	David Smith	20 Novr., '79	100	10
69	William Smith	13 May, '80	100	10
70	David Riskey	9 Augt., '80	100	10
	Capt. Fenner's Comp'y.			
71	Richard White	2 Oct., 79	100	10
72	Thomas Carraway	25 April, 80	100	10
73	William Stewart	17 June, '80	100	10

No.	Names.	Expiration Former Enlistment.	Bounty p'd in Dollars.	To Officer for each Man.
74	Jesse Nelson	2 May, '80	100	10
	Capt. Ingles' Comp'y.			
75	Philip Pinkum	12 Augt., '80	100	10
76	Thomas Anderson	18 Decr., '79	100	10
	Capt. Armstrong's Co.			
77	Drury Bynum	16 Decr., '79	100	10
78	Thomas Smith	24 Oct., '79	100	10
79	John Upton	14 Decr., '79	100	10
80	John Adkerson	26 May, '80	100	10
81	James Wiggins	11 Augt., '80	100	10
82	Sterling Dean	5 June, '80	100	10
83	Robt Jackson	1 June, '80	100	10
			8,600	830

Expended 9, 430 dollars. Remaining in the hands of the officers of 2nd Regiment, 4, 320 dollars.

Return of Men, Tents, &c., in the Different Regiments in the Army, June, 1778.

[U. S. STATE DEP'T. "Original Letters." General Greene. No. 173. Vol. 1. P. 267.]

NORTH CAROLINA BRIGADE.		Field Officers.	Commis. Officers.	Staff Officers.	Non Comm'd.	Rank & File.	Marquees	Horsemen's Tents.	Common Tents.
Late McIntosh, now Comm'd by Col. Clark.	Col. Clark, 1 N. C.	3	37	5	63	325	.....	2	92
	Col. Patton, 2 Do.	3	27	6	36	296	.....	1	69
	Col. Sumner, 3 Do.	1	24	5	51	291	.....	1	63
	Col. Sheppard, 10 Do.	2	19	4	44	246	4	.....	63
	Jno. Berrien (?) M. B.	.....	.....	.....	.....	.....	.....	1	.....
	John Cheesborough....	.....	.....	.....	.....	.....	1	.....	.....
	A Com'y Issues.....	.....	.....	.....	.....	.....	.....	.....	.....
		9	107	20	194	1158	5	5	287

N. B. This is an extract as to N. C., from a return of Washington's Army. The original includes 16 brigades. It is of interest as showing the composition, &c., of the N. C. Brigade after the reduction, by resolve of Congress of May 29, 1778.

GRAHAM DAVES, Sept. 29, 1893.

1779.

SENATE JOURNAL.

19 January, 1779.

When the Following Members Appeared.

James Coor,	Wm. Thompson,
Elisha Battle,	Henry Rhodes,
Robert Harris,	Mr. Speaker,
Edwd. Jones,	Thos. Respass,
Kenneth McKenzie,	James Kenan,
Ben Exum,	Alexius Mason Forster,
Jeremiah Frazier,	Chas. Robeson,
John Brown,	Alex Martin,
John Ashe,	Robert Sumner,
Wm. Russell,	Wm. Grahan,
Thomas Owen,	Nathan Boddie,
Thomas Harvey,	Ebenezer Folsom,
Michael Rogers,	John Kinchen,
Robert Salter,	Robert Irwin,
William Shepherd,	John Birdsong,
Luke Sumner,	John Chiles.

State of North Carolina,
In the Senate, 19th January, 1779.

At a General Assembly begun and held at Halifax, on the nineteenth day of January, in the year of our Lord 1779, and in the third year of the Independence of the said State, being the third Session of this Assembly.

In pursuance of an adjournment of the last Session of Assembly for meeting at Halifax on the first Monday in January, Instant, & thence prorogued by His Excellency the Governor *de die in diem* until the nineteenth Instant, the following Members appeared & took their Seats, viz:

The Honorable Allen Jones, Esq., Spearker;

Messrs. Oroondates Davis, James Coor, Zedekiah Stone, William Thompson, Elisha Battle, Henry Rhodes, Robert Harris, Edward Jones, Thomas Respass, James Kenan, Benjamin Exum, Alexius Mason Foster, Jeremiah Frazier, Charles Roberson, John Brown, Alexander Martin, Robert Sumner, William Russell, William Graham and John Ashe, Junr.

The returning Officer for the County of Martin certifies that Mr. Kenneth McKenzie was duly Elected a member to represent said County in Senate, Whereupon the said Kenneth McKensie appeared, qualified agreeable to law and took his Seat.

Ordered that the following Message be put to the Commons:

Mr. Speaker & Gentlemen of the House of Commons:

This House being now formed acquaint you that they are ready to proceed on public business.

Received from the Commons the following Message:

Mr. Speaker and Gentlemen of the Senate:

This house have received the Message of yours informing them that you are ready to proceed on public Business, And in Answer thereto, we inform you that this House is also formed and ready to proceed upon Business.

Received from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your Concurrence a Message addressed to His Excellency the Governor, also the following Message directed to His Excellency the Governor, which being read was Concurred with.

To His Excellency Richard Caswell, Esq., &c., &c., &c.

Sir:—The two Houses of the General Assembly being now formed, acquaint your Excellency that they are ready to take under Consideration the Journal & proceedings of the Council of State & such public Dispatches as you have to lay before them.

Ordered that the following Message be sent to the Commons:

Mr. Speaker & Gentlemen of the House of Commons:

You will with this receive the Message addressed to to his Excellency the Governor, concurred with by this House.

Received from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

This House have appointed Mr. Courtney, Mr. Hawkins, Mr. Bryan, Mr. Bloodworth, Mr. Hunter & Mr. Wilson, as a Committee of Public Claims. Mr. Locke, Mr. Person, Mr. Whitaker, Mr. Harvey, Mr. Easton & Mr. Mitchell, as a Committee of Public Accounts, who will act jointly with such Gentlemen of your House as you may think proper to appoint for the purpose aforesaid.

Ordered that the following Message be put to the Commons:

Mr. Speaker & Gentlemen of the House of Commons:

This House have received the Message of yours appointing Committees of Accounts & Claims & have on their part appointed Messrs. Coor, Kenan & Forster, a Committee of Accounts, & Messrs. Exum, Jones & Rhodes, a Committee of Public Claims, who will act in Conjunction with the Gentlemen by you appointed for those purposes.

Committee to prepare & bring in a Bill for levying a Tax by General Assessment.

On motion Ordered that Mr. Coor, Mr. Martin & Mr. Battle, be appointed as a Committee to act with such Gentlemen as are appointed by the House of Commons to prepare & bring in a Bill for Levying a tax by General Assessment.

Ordered that the above Resolve, together with the following Message, be sent to the House of Commons.

Mr. Speaker & Gentlemen of the House of Commons:

This House have appointed Mr. Martin, Mr. Coor & Mr. Battle, to act in Conjunction with such of your Body as you may appoint for that purpose to prepare & bring in a Bill for levying a Tax by General Assessment.

The House adjourned till tomorrow Morning 9 o'clock.

WEDNESDAY, 20th January, 1779.

The House met according to adjournment.

Mr. Thomas Owen, the member for Bladen county, & Mr. Nathan Boddie, the member for Nash county, appeared & took their Seats.

The returning Officer for the County of Perquimans Certified that Mr. Thomas Harvey was duly Elected a Member to represent said County in Senate, whereupon the said Thomas Harvey appeared, qualified agreeable to Law & took his Seat.

Received from the Commons A Bill to regulate and Establish a Militia in this State, which was read the first time, passed and Ordered to be sent to the Commons.

Received from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

This House have appointed Mr. Jones, Mr. Johnston, Mr. Williams, Mr. Hooper, Mr. Hewes, Mr. Nash & Mr. Clinton, as a Committee on their part to act jointly with such Gentlemen of the Senate as may be appointed to take into Consideration the Petition of Samuel Marshall and Thomas Barker, Esquires. For your further Information we herewith send the said Petition.

At the same time received the Petition therein referred to & the following Message:

Mr. Speaker & Gentlemen of the House of Commons:

We herewith send for your perusal sundry papers, &c., relative to the case of John London parolled to the Town of Wilmington, which we propose referring to the Committee appointed to take under Consideration the petition of Samuel Marshall & Thomas Barker, Esqrs. Also the papers relative to the said London Referred to in the above Message, which being read Ordered that the following Message be sent to the House of Commons:

Mr. Speaker & Gentlemen of the House of Commons:

We have received your Messeges referring sundry Petitions of Messrs. London, Marshall, Barker, &c., to a joint Committee, and cannot concur therewith but have appointed Colo. Martin, Colo.

Thompson, Colo. Rhodes & Mr. Ashe, to act with such Gentlemen as you may think proper to appoint as as Committee to receive and Consider of the Petition of Robert Hogg of the above and all other Petitions as shall be presented by such persons (praying to be admitted Citizens of the State) during the Session, who are to report specially on the same.

Received from the Commons the following Message :

Mr. Speaker & Gentlemen of the Senate :

We herewith send for your Concurrence a Resolve of the House for appointing a Chaplain to the General Assembly. Also the Resolve therein referred to which being read was concurred with.

Ordered that the following Message be sent to the House of Commons :

Mr. Speaker & Gentlemen of the House of Commons :

We herewith return the Resolve of your House appointing a Chaplain to the General Assembly. Concurred with.

Received from the Commons the following Message :

Mr. Speaker & Gentlemen of the Senate :

We herewith send for your Concurrence a Reselve of this House appointing a Committee to act jointly with a Committee of the Senate for purposes therein mentioned. Also the Resolve therein referred to, which being read was Concurred with, & ordered that the following Message be sent to the House of Commons :

Mr. Speaker & Gentlemen of the House of Commons :

We herewith return the Resolve of your House for appointing a Committee to prepare & bring in such Bills as are necessary to be passed, & have on our part appointed Colo. Martin, Mr. Coor & Mr. Battle, to act with the Gentlemen by you appointed.

Received from the Commons the following Message :

Mr. Speaker & Gentlemen of the Senate :

This House have appointed Mr. Hawkins, Mr. Jones, Mr. Walton & Mr. Person, a Committee on their part to act jointly with

such Gentlemen of the Senate as may be appointed to take under Consideration a Letter from the Governor of Virginia to Governor Caswell concerning the Reduction of the Chickamaggaw Settlements, &c., which you will herewith receive for your perusal & concurrence in the Measure.

At the same Time receiving the letter from the Governor of Virginia, &c., which being read, Ordered that Messrs. Coor, Robeson & Brown, be a Committee to act with the Gentlemen appointed by the House of Commons, & that the following Message be sent to the House of Commons:

Mr. Speaker & Gentlemen of the House of Commons:

We have received the Message of your House appointing a Committee to take under Consideration a letter from the Governor of Virginia to his Excellency Governor Caswell, concurred with by this House, who have appointed Messrs. Coor, Robeson & Brown, to act with the Gentlemen appointed by the House of Commons for that purpose.

(Mr. Stone, the Member from Bertie county, appeared and took his seat.)

Received from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

With this you will receive a Message from his Excellency the Governor, addressed to the General Assembly, together with the sundry Resolutions of Congress, letters from the Governor of South Carolina and the Commander in Chief of the Southern Expedition, the President of Congress & the Delegates from this State in Congress, and sundry other papers therein referred to, which we have had under Consideration & propose referring them to the Committee appointed to report what Bills of a General & public nature are necessary to be brought in and perfected at this Session.

At the same time received the letters, Resolutions & Despatches &c., referred to in the above Message, which being read, ordered that the following Message be sent to the House of Commons:

Mr. Speaker & Gentlemen of the House of Commons:

This House have received your Message referring sundry let-

ters & Resolve from Congress, Letter from South Carolina, &c., to the Committee appointed to prepare and bring in what Bills are necessary, &c., and concur therewith.

Received from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

This House have received the Message of yours appointing certain Gentlemen therein mentioned a Committee to act with such Gentlemen of this House as may be appointed to receive & consider the petitions of Robert Hogg & of all others praying to be admitted as Citizens, with which we concur, & propose on our part that the Committee appointed to receive & consider the Petitions of Robt. Hogg & Samuel Marshall & Thomas Barker, Esquires, shall act with the Gentlemen by you appointed for the purpose aforesaid.

Received from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your Concurrence a Resolve of the House for paroling the officers and men therein mentioned, &c. Also the resolve therein referred to, Endorsed in the Senate 20th January, 1779.

Concurred with.

Ordered that the following Message be put to the House of Commons:

Mr. Speaker & Gentlemen of the House of Commons:

We herewith return the Resolve of your House for paroling certain persons therein mentioned, concurred with.

Received from the Commons a Bill to regulate and ascertain the Fees of Clerks in the Superior and County Courts, Justices of the peace, and Attornies in this State, and directing the Method of paying the same, and other purposes, which was read the first Time, passed and Ordered to be sent to the Commons.

Mr. Jones moved for leave & presented a bill for dividing Bute County into two distinct Counties and other purposes therein

mentioned; which was read the first time, passed and ordered to be sent to the Commons.

Received from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your Concurrence the Report of the joint Committee appointed to take under Consideration the letter from the Governor of Virginia to Governor Caswell, &c.

Concurred with by this House. Also the Report therein referred to as follows:

The Committee appointed by both Houses to take under Consideration the letter from the Governor of Virginia respecting our aid to be sent to the frontiers, beg leave to report as follows:

It is the opinion of your Committee that two Hundred Men be immediately sent under one Lieutenant Colonel and four Captaips to join Colo. Shelby, and that they be furnished from the Militia of Washington formed by Voluntary Enlistment, if they can be so procured, or by Draught agreeable to the Militia Law. That they be furnished with a Commissary, who shall be supplied with Money to enable him to accommodate the troops; that he give Bond to the Governor for the faithful performance of his Trust. That the Officers and Soldiers (should they be successful) treat Captive Women and Children with Tenderness and humanity, conducting them safely to some neighbourly friendly Tribe of the Cherokees & then supply them with live stock and such other of their provisions as they may think necessary. That they treat the friendly Tribes with the untmost Respect, and that they inform them as soon as the Situation of Affairs will permit of their Intentions.

The Committee further beg leave to recommend Major Charles Robeson to the Command, with the rank of Lieutenant Colonel, and that the Troops be furnished with two Hundred weight of Powder.

All which is humbly submitted to the House.

THOS PERSON, for Committee.

The same being read, was Concurred with.

Ordered that the following Message be sent to the House of Commons:

Mr. Speaker & Gentlemen of the House of Commons:

Herewith you will receive the report of the Committee appointed to consider of the Governor of Virginia's letters to Gov. Caswell, concurred with.

Received from the Commons the following Message:

Herewith you will receive the remonstrance of sundry people of Pasquotank County, which this House propose referring to a joint Committee of both Houses, and have, for that purpose, on their part, appointed Mr. Hawkins, Mr. Johnston, Mr. Harvey, Mr. Nash, Mr. Jones and Mr. Courtney, a Committee.

At the same time Received the Remonstrance therein referred to, which being read,

Ordered that the following Message be sent to the House of Commons:

Mr. Speaker and Gentlemen of the House of Commons:

We have received your Message appointing a Committee to take under Consideration the Remonstrance from Pasquotank County, with which we concur, and have appointed Mr. Stone, Mr. Harvey and Mr. Sumner, who will act with the Gentlemen by you appointed for that purpose.

Received from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

Herewith you will receive a Resolve of this House for appointing Commissioners to purchase Provisions, &c.; also empowering them to draw a certain Sum of Money therein mentioned for that purpose.

The House adjourned till tomorrow morning 9 o'clock.

THURSDAY, 21st January, 1779.

The House met.

Mr. John Kinchen, theMember for Orange County; Mr. Ebenezer Folsom, the Member for Cumberland, and Mr. Michael Rogers, the Member for Wake, appeared and took their Seats.

The returning Officer for the County of Pitt Certified that Mr. Robert Salter was Elected a member to respresent said County in Senate, whereupon the said Robert Salter appeared, qualified agreeable to Law and took his Seat.

Received from the Commons a Bill for dividing Hertford County and other purposes, which was read the first time, passed and ordered to be sent to the Commons.

Also the Bill for dividing Bute County into two distinct Counties and other purposes therein mentioned, which was read the second time, amended, passed and ordered to be sent to the Commons.

Received from the Commons the following Message:

Mr. Speaker and Gentlemen of the Senate:

We have appointed Mr. Person, Mr. Johnston, Mr. Locke, Mr. Harvey, Mr. Courtney and Mr. John Williams, Caswell, as a Committee on our part who will act jointly with such Gentlemen of your House as may be appointed to take under Consideration the address and Petition of the people called Quakers.

Ordered that the following Message be sent to the House of Commons:

Mr. Speaker and Gentlemen of the House of Commons:

The House have received your Message referring the Petition of the Quakers to a joint Committee, and concurs therewith, and have for the purpose appointed Mr. Kinchen, Colo. Martin and Mr. Frazier, to act with the Gentlemen by you appointed.

We also send you a Petition from the United Brethren *alias* Moravians, which we propose referring to the same Committee.

Received from the Commons the following Message:

Mr. Speaker and Gentlemen of the Senate:

This House have appointed Mr. Nash, Mr. Person, Mr. Johnston and Mr. Hawkins, a Committee on their part to act jointly with such Gentlemen of the Senate as may be appointed to examine the accounts of William Gilbert, late Commissary of Tryon Couty, &c.

Ordered tat the following Message be sent to the Common:

Mr. Speaker and Gentlemen of the House of Commons:

We have received your Message appointing a Committee to examine the Acconnts of Wm. Gilbert, late Commissary of Tryon County, &c., with which we concur, and have for that purpose, on our part, appointed Messrs. Stone, Coor, Rogers and Owen, a Committee.

Received from the Commons a Bill to further ascertain the Duties of the different Surveyors in this State, & other purposes, which was read the first time, passed & ordered to be sent to the Commons.

Also a Bill to enforce the attendance of the Voters at Elections of Members of the General Assembly & other purposes, which was read the first time, passed & ordered to be sent to the Commons.

Mr. Forster moved for leave & presented a Bill for erecting a Court House, Prison & stocks, in Brunswick County, & other purposes, which was read the first time, passed and Ordered to be sent to the Commons.

Resolved, That Colo. Long be requested to furnish a Cart & Horses for the purpose of transporting to Mr. Jno. Brown, at the bend of the Yadkin, immediately, two Hundred Weight of powder, three Hundred weight of Lead & a sufficient number of Flints, for the use of the Troops ordered against the Chickamaggaw Indians.

Ordered that the above Resolve, together with the following Message, be sent to the House of Commons:

Mr. Speaker & Gentlemen of the House of Commons:

We herewith send for your Concurrence a Resolve of this House

for transporting Ammunition for he Use of the Troops ordered against the Indians.

Resolved, That Mr. Jesse Walton be appointed Commissary to the Troops now ordered on the Indian Expedition under the Command of Colo. Robeson.

Ordered that the above Resolve be sent to the Commons, together with the following Message:

Mr. Speaker & Gentlemen of the House of Commons:

You will herewith receive for your Concurrence a Resolve of this House appointing Mr. Jesse Walton, Commissary to the Troops, under the Command of Colo. Robeson, on the Indian Expedition.

Received from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

This House have appointed Mr. Nash, Mr. Hooper & Mr. Locke, a Committee on their part, to act jointly with a Committee of the Senate, to enquire into the Conduct of Mr. Charles Bondfield, relative to selling the Pensylvania Farmer, & charging Mr. Hewes with being the purchaser.

Ordered that the following Message be sent to the House of Commons:

Mr. Speaker & Gentlemen of the House of Commons:

We have received your Message appointing a Committee to enquire into the conduct of Charles Bondfield relative to selling the Pennsylvania Farmer, & concur therewith, & have, on our part, chosen Colo. Martin & Mr. Stone to act in conjunction with the Gentlemen by you appointed.

Received from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

This House have appointed Mr. Hewes, Mr. Nash, Mr. Jones & Mr. Hawkins, a Committee on their part, to act jointly with a

Committee of the Senate, to devise ways & means to supply the State with Arms & Ammunition with the greatest Expedition and Economy possible.

Ordered that the following Message be sent to the House of Commons:

Mr. Speaker and Gentlemen of the House of Commons:

We have received your Message appointing a Committee to devise ways & means to supply this State with Arms & Ammunition, &c., & concur therewith, & have for that purpose chosen Messrs. Salter, Davis & McKenzie, to act with the Gentlemen by you appointed.

Received from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith return the Resolve of your House appointing a Commissary to the Troops ordered on the Indian Expedition.

Also the Resolve for transmitting Ammunition for the Troops on the same service, Concurred with by this House.

At the same time Received the Resolves of this House referred to in the above Message and Endorsed in the House of Commons 21st January, 1779.

Concurred with.

The House adjourned till tomorrow morning 9 o'clock.

FRIDAY, 22d January, 1779.

The House met according to adjournment.

Received from the Commons a Bill for dividing Craven County into two distinct Counties, & for other purposes therein mentioned, which was read the first Time, passed and ordered to be sent to the Commons.

Also a Bill for confirming certain Grants of Lands in Earl Granville District, made by Thomas Child, Esq., Agent for said Earl Granville, after his Departure from Edenton, in North Carolina, and during his Residence in Suffolk, in Virginia, which was read the first time, passed and ordered to be sent to the Commons.

And a Bill for annexing part of Halifax County to Edgecombe, and other purposes, which was read the first time, passed & ordered to be sent to the Commons.

Whereas, many of the subjects of the King of Great Britain have & may come into this State and voluntarily make application to be permitted to take the Oath of Allegiance & become Subjects thereof; & whereas, it hath been Doubtful to what Authority such persons should apply for the aforesaid Privilege & Indulgence.

Resolved, that in such Cases & Circumstances any two Justices of the peace of any County in this State may & they are hereby required at their Discretion to administer the Oath of Allegiance to any such person so applying & to give a Certificate thereof under their Hands, provided that this Indulgence shall not extend to such persons as have been compelled to leave this State or any of the United States, by virtue of any law or resolve of this or the United States, nor to such as have taken Arms against this State and have removed themselves therefrom or still continue within the limits of this State.

Ordered that the above Resolve, together with the following Message, be sent to the House of Commons:

Mr. Speaker and Gentlemen of the House of Commons:

You will with this Receive a Resolve of this House permitting the Subjects of the King of Great Britain, who shall voluntarily come into this State to take the oath of Allegiance & become ubjects thereof, which we send for your Concurrence.

As it is obvious from the advanced price of every Commodity that Lieutenant's pay at present allowed to Ptolemy Powell & Samuel Caswell, Commanding officers of the Guards at Halifax & Kingston, is inadequate to their maintenance as Officers;

Resolved, therefore, that the said Ptolemy Powell & Samuel Caswell be advanced to the rank, pay & Command of Captains, to be under the same Rules, Regulations & Restrictions, & be subject to the same pains and Penalties as Officers in the Continental service, and that His Excellency the Governor commission them accordingly, and further that each be allowed to draw Captain's pay from the Date of their Commission as Lieutenants and

be empowered to appoint one Sergeant and two Corporals, who shall draw pay accordingly.

Ordered that the above Resolve, together with the following Message, be sent to the House of Commons:

Mr. Speaker & Gentlemen of the House of Commons:

We herewith send for your Concurrence a Resolve of this House for advancing the pay and Rank of the Officers of the Guard of Halifax & Kinston.

Colo. Kenan has leave of absence during the remainder of this Session.

Colo. Robeson has leave of absence during the remainder of this Session.

Mr. Robt. Irwin, the Member for Mecklenburg County, appeared & took his seat.

The House adjourned till to-morrow morning 9 o'clock.

Saturday, 23d January, 1779.

The House met.

Received from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your Concurrence a Resolve of this House for raising men to be stationed in Cumberland County, &c., &c.

Also the Resolve therein referred to, which being read, Ordered that the following Message be sent to the House of Commons:

Mr. Speaker & Gentlemen of the House of Commons:

We herewith return the Resolve of your House for raising men to march to Cumberland, &c., concurred with by this House, with the Amendment of the words "compelled to" in the first page.

Received from the Commons a Bill for ascertaining the lines & Boundaries of a tract of land lately granted to Samuel Spencer,

which was read the first Time, passed & ordered to be sent to the Commons.

Received from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send you a letter from the Honble. Samuel Spencer, Esq., Judge, &c., the Consideration of which we propose referring to a joint Committee and have for that purpose, on our part, appointed Mr. Hawkins, Mr. John Williams, Mr. Courtney & Mr. Person, a Committee.

Also the letter therein referred to and the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send you the Petition of Waightstill Avery, Esq., Attorney General, which we propose referring to the Committee appointed to take under Consideration the Letter from the Honble Judge Spencer.

Also the Petition therein referred to.

Which being read, ordered that the following Message be sent to the House of Commons:

Mr. Speaker & Gentlemen of the House of Commons:

We have received your Message referring the letter from the Honble Samuel Spencer, and the Petition of Waightstill Avery, Esquire, to a joint Committee, with which we concur & have, for that purpose, appointed Messrs. Davis, Martin & Rogers, a Committee.

We also propose referring to said Committee the Consideration of the allowance of the Governor, Secretary, Delegates in Congress, & other public Officers of this State.

Received from the Commons a Bill for raising Forces for the Defense of this State, which was read the first Time, passed and ordered to be sent to the Commons.

Received from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your Concurrence a Resolve of this House appointing Commissioners in the different Districts of this State

for purchasing the provisions therein mentioned & allowing them the Sums therein mentioned for such Service:

We propose that a former Resolve of this House, and concurred with by the Senate, for this purpose should be Expunged from the Journals of both Houses, as the Substance of that is included in the one herewith sent you.

Also the Resolve therein referred to, which being read was Concurred with.

Received from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

This House concur with yours in the proposed Amendment to the Resolve for raising men, &c.

Received from the Commons a Bill for erecting a Court House, Prison & stocks, in Brunswick County, and other purposes, which was read the second time, amended, passed & ordered to be sent to the Commons.

Received from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your Concurrence a Resolve of this House empowering the Commissary of Stores to remove the public powder.

Also the Resolve therein referred to, which being read was Concurred with.

Ordered that the following Message be sent to the House of Commons:

Mr. Speaker & Gentlemen of the House of Commons:

You will herewith receive the Resolve of your House empowering the Commissary of Stores to remove the public powder to some convenient House in the Town of Halifax.

Received from the Commons a Bill for annexing part of Halifax County to Edgecombe & other purposes, which was read the second Time, passed & ordered to be sent to the Commons.

Ordered that Mr. Irwin & Major Owen be added to the Committee of Claims.

Whereas, many Entry takers & Sheriffs, for the furtherance of the present Expedition to the Southward, have advanced public Monies to the Commanding Officers of the Militia now in that Service, for the purpose of paying Bounties to such persons as should turn out Volunteers in the same and whereas, the Resolve passed last Session of the General Assembly respecting the Treasurers allowing such Monies advanced to the Volunteers ballotted to march to the Northward in the Accounts of such Entry takers and Sheriffs did not include Monies to be advanced to the said Officers to be paid as Bounty to the Militia on like Service;

Resolved, therefore, that Entry takers & Sheriffs who have advanced public monies for the purpose of raising Volunteers of Militia now serving in the present Expedition to the Southward be comprehended in the meaning of the said Resolve, and that the Treasurers pass such accounts on the said Entry takers & Sheriffs producing from the Colonels or Commanding Officers in the County of said Volunteers and Militia Receipts of such Monies by them so received.

Ordered that the above Resolve, together with the following Message, be sent to the House of Commons:

Mr. Speaker & Gentlemen of the House of Commons:

You will with this receive a Resolve of this House for making valid all Receipts for monies advanced by Entry takers & Sheriffs for the purpose of raising Volunteers of the Militia in the present Expedition to the Southward.

Received from the Commons a Bill for confirming certain Grants of Lands in Earl Granville District, made by Thomas Child, Esq., Agent for said Earl Granville, after his Departure from Edenton, in North Carolina, and during his Residence in Suffolk, in Virginia, which was read the second time, amended, passed & ordered to be sent to the Commons.

Mr. William Shepherd, the Member for Surry County, appeared & took his Seat.

Colo. Graham moved for leave & presented a Bill for annexing part of Burke County to the County of Tryon and for other purposes, which was read the first time, passed & ordered to be sent to the Commons.

Received from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your Concurrence a Resolve of this House for admitting Jacob Pope to the priviledges of a Citizen, &c.

Also the Resolve therein referred to.

Endorsed in the Senate 23 January, 1779.

Read & Concurred with.

Ordered that the following Message be sent to the House of Commons:

Mr. Speaker & Gentlemen of the House of Commons:

You will with this Receive the Resolve of your House admitting Jacob Pope a Citizen of this State.

Concurred with.

Received from the Commons the following Message:

Mr. Speaker and Gentlemen of the Senate:

We herewith send for your Concurrence the Report of the Committee appointed to Consider the Petition of the people called Moravians & Quakers.

Concurred with by this House.

Also the report of the Committee therein referred to as follows:

Your Committee appointed to consider of the petitions of the people called Moravians and Quakers, having taken the same under their Consideration are of the opinion, That as the end of all government is to make every member of the Community equally happy, and as in a State settled by people of different Religions this equality of political Happiness is inseparable from an Indulgence to those whose religious Opinions make them object to the usual form of promising fidelity to the State, That the people called Moravians and Quakers should be permitted to take the following Affirmation, to-wit:

I, A, B, Do solemnly and sincerely declare and affirm in the presence of Almighty God that I will truly and faithfully demean myself as a peaceable subject of the Independent State of North Car-

olina and will be subject to the powers and Authorities that are or may be established for the good Government thereof not inconsistent with the Constitution by yielding either an active or passive Obedience thereto and that I will not abet or join the subjects or forces of the King of Great Britain or others the Enemies of this State in any Conspiracy by any means whatsoever against this said State or the United States of America and that I will make known to the Governor or some member of the Council of State, Judge of the Superior Court, or Justice of the peace, all treasons, Conspiracies or attempts committed or intended against the same which shall come to my knowledge.

And your Committee are further of the opinion that an Act of the General Assembly of this State ought to be made for the above purpose. All which your Committee humbly submits to the Houses.

THOS. PERSON, Chairman.

On reading the aforegoing Report, ordered that the following Message be sent to the House of Commons:

Mr. Speaker and Gentlemen of the House of Commons:

We have received your Message with the Report of the Committee appointed to consider the Petitions of the Moravians and Quakers, and concur therewith, with the amendments we have made in the oath to be taken by such people, and further propose that the Mennonists and Dunkards should be included within the meaning and purview of the said Report.

Received from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

This House have received the Message of yours proposing Amendments in the Report of the Committee appointed to consider the Petitions of the Moravians and Quakers and have acceded thereto and made the Report Conformable.

Received from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

This House concur with you in referring to the Committee appointed to take into Consideration the letter from the Honble

Samuel Spencer, &c., the Consideration of the allowance of the Governor, Secretary, &c., Delegates in Congress, and other public officers of this State.

Ordered that the following Message be sent to the House of Commons:

Mr. Speaker & Gentlemen of the House of Commons:

This House have appointed The Honorable the Speaker, and Colo. Martin to act with the Gentlemen by you appointed for the purpose of preparing the Thanks of this State to the Honorable Cornelius Harnett, Esquire, one of the Delegates for this State in the Continental Congress, for his faithful and important Services rendered this State in the Execution of that office.

The House adjourned till Monday morning 10 o'clock.

Monday, 25th January, 1779.

The House met.

Received from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your Concurrence a Resolve of this House permitting Henry Hinton, Master of the Sloop Mary, bound for the Island of Bermuda, to load out with provisions.

Also the Resolve therein referred to.

Which being read, ordered that the following Message be sent to the House of Commons:

This House have received your Message and Resolve in favour of Capt. Hinton, and propose passing a Resolve in favour of the Inhabitants of Bermuda generally, supposing that many of that Island will come into this State with the same Desire of procuring provisions, and that all are equally entitled to those Benefits, for which purpose we have sent a Resolve for your Concurrence as follows:

It being Evident that the United States, and particularly this State, have received great Benefit and Advantage from the importation of salt and other useful articles by the Inhabitants of Bermuda, and it being also represented to this House that the Inhab-

itants of the Island of Bermuda, claimed by and guaranteed to the United States by Treaty with France, are in most distressing Circumstances thro' want of Provisions;

Resolved, therefore, that all vessels belonging to the Inhabitants of the Island of Bermuda, who shall import into any part of this State any Quantity of salt, shall, and they are hereby empowered, to take on board & export to the said Island so much Provision as will amount to the value of the salt so imported by them and no more.

Received from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your Concurrence the Report of the joint Committee appointed to receive and consider the Petition of all persons praying to be admitted as Citizens, unanimously concurred with by this House.

Also the Report of the Committee appointed to receive and consider the Petitions of all persons praying to be admitted.

Which being read was concurred with.

On reading the report of the said Commons, admitting Robert Hogg as a Citizen of this State, it was objected to, and the question being put it was carried in the affirmative.

Then, on motion of Robert Harris, Ordered that the yeas and nays be taken, which were as follows:

Yeas.—Messrs. Davis, Thompson, Battle, Rhodes, Forster, Martin, Russell, Graham, Ashe, Owen, Boddie, Rogers, Kinchen, Salter, McKenzie and Stone.

Nays.—Messrs. Coor, Harris, Jones, Respass, Exum, Frazier, Brown, Sumner, Irwin and Shepherd.

Dissentient—Because it appears when Mr. Hogg left this Country he was generally deemed unfriendly to the public Measures of this & the United States; that he returned under the protection of the King of Great Britain and hath not taken the Oath of Allegiance to this State, and lastly because Mr. Hogg hath not shown or offered in his own behalf any mitigating Circumstance to induce the General Assembly to admit him as a Citizen and restore to him his property, which we conceive was absolutely necessary and particularly required by the act of Assembly—Jas.

Coor, Robert Harris, Edwd. Jones, Thos. Respass, Ben. Exum, Jeremiah Frazier, Jno. Brown, R. Sumner, R. Irwin, Wm. Shepherd.

Ordered that the following Message be sent to the House of Commons:

Mr. Speaker & Gentlemen of the House of Commons:

This House have received your Message, with the Report of the Committee appointed to receive and consider the petition of all persons praying to be admitted Citizens of this State, which we herewith return you concurred with.

Received from the Commons:

A Bill to Amend an act to amend the staple of Tobacco and prevent frauds, passed at New Bern, 15th November, 1779, which was read the first time, passed and ordered to be sent to the Commons.

Colo. Martin moved for leave & presented a Bill to lay out and Establish a town on the land adjoining to the Court House, in Guilford County, which was read the first Time, passed and ordered to be sent to the Commons.

Received from the Commons the following Message:

Mr. Speaker and Gentlemen of the Senate:

We herewith return the Resolve of your House for making valid all Receipts for monies advanced by Entry takers & Sheriffs for the purpose of raising Volunteers of Militia in the present Expedition to the Southward, concurred with.

Also the Resolve of this House.

Endorsed in the House of Commons 25th January, 1779.

Concurred with.

Received from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

We have received the Message of your House appointing certain Gentlemen therein mentioned to prepare the thanks of the State to be given the Honble. Cornelius Harnett, Esq., one of the Delegates from this State in Congress, & we have for that pur-

pose, on our part, appointed Mr. Hooper & Mr. Jones, to act jointly with the Gentlemen by you appointed for that purpose.

We think that the Honble. John Penn & John Williams, Esquires, justly merit the thanks of the State for the great Services they have rendered as Delegates in Congress, & propose that the thanks of the State shall also be given them thro' the Assembly.

Received from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your Concurrence a Resolve of this House appointing a Contractor for the Troops on the Indian Expedition, &c.

Also the Resolve therein referred to.

Which being read ordered that the following Message be sent to the House of Commons:

Mr. Speaker & Gentlemen of the House of Commons:

Herewith you will receive the Resolve of your House appointing Mr. Jesse Walton, Contractor, for purposes therein mentioned

Concurred with.

Received from the Commons a Bill for regulating the Town of New Bern & other purposes therein mentioned, which was read the first time, passed & ordered to be sent to the Commons.

Mr. Coor moved for leave & presented a Bill for ascertaining what property in this State shall be deemed Taxable property, the method of assessing the same & collecting the public Taxes & other purposes, which was read the first time, passed and ordered to be sent to the Commons.

Mr. John Birdsong, the Member for Chatham County, appeared & took his Seat.

On motion a Bill for dividing Hertford County and other purposes was read the second time, passed and ordered to be sent to the Commons.

The House adjourned till tomorrow morning 9 o'clock.

TUESDAY, 26th January, 1779.

The House met.

Mr. Stone moved for leave & presented a Bill to empower the Court of Bertie County to levy a further Tax for completing the public Buildings of said County & other purposes, which was read the first Time, passed & ordered to be sent to the Commons.

Mr. Luke Sumner, the Member for Hertford County, appeared & took his Seat.

Mr. Respass & Mr. Harvey have leave of absence from the session of this House.

On motion a Bill for annexing a part of Burke County to the County of Tryon and for other purposes was read the second Time, amended, passed & ordered to be sent to the Commons.

Colo. Graham moved for leave and presented a Bill for dividing Tryon County into two distinct Counties and for other purposes, which was read the first Time, passed & ordered to be sent to the Commons.

Resolved, that all officers of the Militia and others of this State, who have collected clothing of any kind agreeable to a late act of Assembly in such case made, be directed to make Return thereof to his Excellency the Governor & that they also keep the same until the Governor shall direct them to deliver it to some officer or other person.

Ordered that the above Resolve, together with the following Message, be sent to the House of Commons:

Mr. Speaker & Gentlemen of the House of Commons:

This House being informed that several persons in the different parts of this State have in their possession public cloathing, have sent you a Resolve for your Concurrence, relative to the same.

Received from the Commons a Bill for dividing the County of Guilford into two distinct Counties, & other purposes therein mentioned; which was read the first time, passed & ordered to be sent to the Commons.

Resolved, that Edward Jones & Adkin McLemon Deliver into the hands of Colo. Nicholas Long the remainder of the Guns, Gun Locks & every other Thing belonging to the Gun Manufactory

in Bute County, & that the said Colo. Nicholas Long be directed to have those Gun Barrels, that have Locks & mountings finished, and that he sell the remainder for the best price that can be got for them & account with the General Assembly for the same.

Ordered that the above Resolve, together with the following Message, be sent to the House of Commons:

Mr. Speaker & Gentlemen of the House of Commons:

We herewith send for your Concurrence a Resolve of this House directing Colo. Long to receive the Guns & Gun Locks from Messrs. Jones & McLemon that formerly belonged to the Gun Manufactory in Bute County.

Colo. Alexander Martin, from the joint Committee of both Houses, appointed to prepare an address of thanks from this State to the Honorable Cornelius Harnett, Esquire, as also to the Honorable John Penn & John Williams, Esquires, Delegates in Continental Congress, Reported that he had prepared the same, which is as follows:

To the Honorable Cornelius Harnett & John Williams, Esquires,
GENTLEMEN:

The General Assembly of the State of North Carolina, by the Unanimous Resolves of both Houses, have agreed that the Thanks of the State be presented to you for the many great and important Services you have rendered your Country as a Delegate in the Continental Congress.

The Assiduity & zeal with which you have represented our affairs in that supreme Council of the Continent, (during a long & painful absence from your family,) demand this respectful attention of your Countrymen, whose minds are impressed with a sense of the most lively Gratitude.

We cannct but congratulate you with ourselves for those late remarkable Successes of the American Arms, that under the Auspices & divine Providence of Almighty God have at length humbled the Pride of an insulting, vengeful, cruel & imperious Enemy, which, together with those wise Councils and Negotiations in which you (and your worthy Colleagues,) have borne a share, have induced the first Power in Europe to acknowledge the Free-

dom, Independence, & Sovereignty of the United States of America, and have given them Rank among the Sovereign Powers of the World.

For the faithful Discharge of this your Duty and the high Trust reposed in you by this State, accept, Gentlemen, through me, the thanks & Plaudit of your Country.

The copy of the foregoing address was also prepared for the Honble. John. Penn.

Ordered that the foregoing Report, together with the following Message, be sent to the House of Commons:

Mr. Speaker & Gentlemen of the House of Commons:

We herewith send for your Concurrence the Report of the joint Committee appointed to prepare an address of thanks to the Honble. Cornelius Harnett, John Penn, & John Williams, Esqrs., which this House have Concurred with.

Received from the Commons a Bill for erecting a town in the County of Washington.

Which was read the first time, passed, & ordered to be sent to the Commons.

Received from the Commons a Bill for dividing Craven County into two distinct Counties, & for other purposes therein mentioned.

Which was read the second time, passed & ordered to be sent to the Commons.

Received from the Commons the following Message:

Mr. Speaker and Gentlemen of the Senate:

This house being informed that it is necessary, from the Multiplicity of Business before the Committee of Claims, to appoint another Committee of Claims to settle and allow accounts separate and apart from the other, I have appointed Mr. Winslow, Mr. John Williams (Caswell), Mr. Clinton, Mr. Cogdell, Mr. Baker & Mr. Johnston, to act jointly with such Gentlemen as you may appoint for the purpose aforesaid.

Ordered that the following Message be sent to the House of Commons:

Mr. Speaker & Gentlemen of the House of Commons:

This House have received your Message appointing another Committee of Claims & concur therewith, for which purpose we

have appointed Messrs. Shepard, Rogers, Frazier, Birdsong & Brown, to act with the Gentlemen by you appointed.

The House adjourned till tomorrow morning 9 o'clock.

Wednesday, 27th January, 1779.

The House met.

Received from the Commons the Bill for the Ease and convenience of the Militia in the west end of Rowan County.

Which was read the first time, passed & ordered to be sent to the Commons.

Mr. Davis moved for leave & presented a Bill for levying a Tax for defraying the Contingencies of the several Counties in this State & for other purposes therein mentioned.

Received from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your Concurrence a Resolve of this House allowing Mr. Benjamin Clark a certiain sum therein mentioned.

Also the Resolve therein referred to, which being read was concurred with.

Ordered that the following Message be sent to the House of Commons:

Mr. Speaker & Gentlemen of the House of Commons:

Herewith you will receive the Resolve of your House in favour of Benjamin Clark.

Concurred with by this House.

Resolved, that Mrs. Sarah Dupree, of Brunswick County, be allowed the sum of Eighty pounds for a negro fellow, named James, who was executed in Brunswick for the Murder of Henry Williams.

That the Treasurers or either of them pay her the same and be allowed.

Ordered that the above Resolve, together with the following Message, be sent to the House of Commons:

Mr. Speaker & Gentlemen of the House of Commons:

We herewith send for your Concurrence a Resolve of this House allowing Mrs. Sarah Dupree a certain Sum therein mentioned.

Received from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith return the Resolve of your House relative to public clothing in the hands of sundry people in different parts of the State. Concurred with.

At the same time received the Resolve of this House referred to in the above Message.

Endorsed in the House of Commons 26th January, 1779. Concurred with.

Received from the Commons the Bill for ascertaining what property in the State shall be deemed taxable property, the method of assessing the same and collecting the public Taxes and other purposes.

On motion, for reading the above Bill, the House resolved itself into a Committee of the whole House to take into Consideration this Bill and chose Mr. Luke Sumner, Chairman, and after some time spent therein Mr. Speaker resumed the Chair and Mr. Chairman reported that the Committee has proposed several Amendments in the said Bill, which were read.

Then on motion, Ordered that the Bill for ascertaining what property in this State shall be deemed taxable property in this State, &c., &c., be read.

Read the same the second time, Amended, passed and ordered to be sent to the Commons.

Received from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith return the Resolve of your House allowing Mrs. Sarah Dupree the Sum therein mentioned. Concurred with.

At the same time received the resolve of this House referred to in the following Message.

Endorsed in the House of Commons 27th January, 1779.

Concurred with.

The House adjourned till tomorrow morning 9 o'clock.

THURSDAY, 28th January, 1779.

The House met.

Received from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your Concurrence the Report of the Committee appointed to take under Consideration the petition of the people of Pasquotank, &c., concurred with by this House.

Also the Report of the Committee therein referred to, which being read was concurred with.

Ordered that the following Message be sent to the House of Commons:

Mr. Speaker & Gentlemen of the House of Commons:

We herewith return you the Report of the Committee appointed to take under Consideration the petition of the people of Pasquotank, &c., concurred with by this House.

Received from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your Concurrence a Resolve of this House directing the Treasurers to receive the old proclamation money therein mentioned.

At the same time Received the Resolve of the House of Commons referred to in the foregoing Message, as follows:

Resolved, that the Treasurers be directed to receive of the Tax Gatherers and County Treasurers all old proclamation Money collected or received by such Tax Gatherers & County Treasurers in payment of public Taxes, oath being first made that such proclamation money was so collected or received on or before the first day of February, 1779.

The above Resolve being read was concurred with, & ordered that the following Message be sent to the House of Commons:

Mr. Speaker & Gentlemen of the House of Commons:

You will with this receive the Resolve of your House directing the Treasurers to receive old proclamation money from the Tax Gatherers & County Treasurers in payment of public Taxes, & concurred with by this House.

Received from the Commons a Bill to explain an act entitled an Act to prevent Domestic Insurrections & for other purposes.

Which was read the first time, passed & ordered to be sent to the Commons.

Also the Bill for dividing Craven County into two distinct Counties & for other purposes therein mentioned.

Which was read the third time, passed & ordered to be Engrossed.

Also the Bill for erecting a Court House, Prison & Stocks, in Brunswick County and other purposes.

Which was read the third time, passed and ordered to be sent to the Commons.

Resolved, that Mr. Robert Sumner, Colo. Martin, Mr. Coor and Mr. Thompson, be appointed to act with such Gentlemen as the House of Commons shall think proper to appoint, for the purpose of receiving the old proclamation money from the Treasurer and counting the same.

Ordered that the above Resolve, together with the following Message, be sent to the House of Commons:

Mr. Speaker and Gentlemen of the House of Commons:

We herewith send for your Concurrence a Resolve of this House appointing a Committee to receive and count the old money from the Treasurer.

Mr. Battle moved for leave and presented a Bill for levying a tax for the year 1779, and other purposes.

Which was read the first time, passed and ordered to be sent to the Commons.

On motion of Colo. Folsom, Resolved that Philip Alston and Thomas Hadley, of Cumberland County, who were appointed

Commissioners by the Congress at Halifax to settle on behalf of the public with the said Ebenezer Folsom are hereby cited to make Report to the next Session of General Assembly of their Settlement with said Folsom.

Ordered that the above Resolve, together with the following Message, be sent to the House of Commons:

Mr. Speaker and Gentlemen of the House of Commons:

We herewith send for your Concurrence a Resolve of the House, citing Philip Alston and Thomas Hadley to make report to the next assembly of their settlement with Colo. Folsom.

Received from the Commons a Bill for dividing Bute County into two Distinct Counties, and for other purposes therein contained.

Which was read the third time, amended, passed and ordered to be sent to the Commons.

Received from the Commons the following Message:

Mr. Speaker and Gentlemen of the Senate:

This House have appointed Mr. Person, Mr. Davidson, Mr. Hunter, and Mr. Hewes, a Committee, to act with the Gentlemen by you appointed, to receive and count the old money of the Treasurer.

Received from the Commons A Bill to impower the Executors of the last Will and Testament of Richard Quince, late of New Hanover County, Esquire, deceased, to sell part of the Estate of the said Richard Quince, and for other purposes, and to apply the monies arising by such sales to the uses of the said Will.

Which was read the first time and Rejected.

Received from the Commons a Bill for erecting a separate and distinct County by taking off a part of the Counties of New Hanover, Duplin and Bladen Counties, and for other purposes therein mentioned.

Which was read the first time, passed and ordered to be sent to the Commons:

Also a Bill for the suppression of Vice and immorality, which was read the first time, passed and ordered to be sent to the Commons.

Mr. Kinchen moved for leave and presented a Bill to prevent Stealing of Slaves, and for other purposes therein mentioned.

Which was read the first Time, passed and ordered to be sent to the Commons:

Received from the Commons a Bill for dividing Hertford County, and for other purposes, which was read the third time, amended by Consent of both Houses, and ordered to be Engrossed.

Also the Bill for the Ease and Convenience of the Militia of West End of Rowan County.

Which was read the second time, amended, passed and ordered to be sent to the Commons:

Received from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith return the Resolve of your House citing Philip Alston and Thomas Hadley to attend the next Assembly for the purposes therein mentioned. Concurred with.

At the same time Received the Resolve of this House referred to in the foregoing Message.

Endorsed in the House of Commons 28th January, 1779, Concurred with.

Received from the Commons a Bill for dividing the County of Guilford into two distinct Counties, and other purposes therein mentioned.

Which was read the second time, amended, passed and ordered to be sent to the Commons.

Received from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your Concurrence the Report of the Committee relative to the sale of the Pennsylvania Farmer, Concurred with by this House.

Also the Report of the Committee therein referred to, which being read was concurred with.

Ordered that the following Message be sent to the House of Commons.

Mr. Speaker & Gentlemen of the House of Commons:

We herewith return the Report of the Committee relative to the sale of the Pennsylvania Farmer, Concurred with by this House.

Mr. Frazier moved for leave and presented a Bill for altering the time of holding certain County Courts of Pleas & Quarter Sessions therein mentioned.

Which was read the first Time, passed and ordered to be sent to the Commons.

Mr. Davis moved for leave and presented a Bill for extending the Boundary Line between this State and the Commonwealth of Virginia.

Which was read the first time, passed and ordered to be sent to the Commons.

Colo. Martin moved for leave and presented a Bill to amend and explain an act for establishing Offices for receiving Entries of Claims for land in the several Counties within this State, for ascertaining the method of obtaining Titles to the same and for other purposes therein mentioned.

Which was read the first time, passed and ordered to be sent to the Commons.

Mr. Kinchen moved for leave and presented a Bill for establishing an Academy in the Neighborhood of Hillsborough.

Which was read the first Time, passed and ordered to be sent to the Commons.

The House adjourned till tomorrow morning 9 o'clock.

Friday, 29th January, 1779.

The House met.

Received from the Commons a Bill to explain an act entitled an Act to prevent Domestic Insurrections and for other purposes.

Which was read the second time, amended and Rejected.

Received from the Commons a Bill for levying a Tax for the year 1779, and for other purposes.

Which was read the second time, amended, passed and ordered to be sent to the Commons.

Received from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

This House have Resolved that they will not receive any new Bill or Bills after Monday next, and desire your concurrence thereto.

The above Resolve being read was concurred with, and ordered that the following Message be sent to the House of Commons:

Mr. Speaker & Gentlemen of the House of Commons:

We have recieved your Message relative to the Resolve for receiving no new Bill after Monday next, to which we agree.

Whereas, Mr. James Robertson, Superintendant of Indian Affairs for this State, hath resigned his said Appointment, and it appearing that it is the earnest Request and Desire of the Indians that Mr. Ellis Harling should succeed said Robertson in the Appointment;

Resolved, therefore, that the said Ellis Harling be & he is hereby appointed Superintendant of Indian Affairs for this State; that he be allowed the same pay as the said James Robertson was allowed; that His Excellency the Governor be requested to grant him a Commission for that purpose & that His Excellency return a talk to the Raven of Chola in answer to the Talk given by him to our Superintendant on the 23d of December, last.

Ordered that the above Resolve, together with the following Message, be sent to the House of Commons:

Mr. Speaker & Gentlemen of the House of Commons:

We herewith send for your Concurrence a Resolve of this House appointing Ellis Harling, Superintendant of Indian Affairs, in the stead of James Robertson, resigned.

Received from the Commons a Bill for establishing an Academy in the neighbourhood of Hillsborough.

Which was read the second time, passed and ordered to be sent to the Commons.

Received from the Commons a Bill to enable the Inhabitants of a certain Tract of Land lying in Mecklenburg County, known by the name of Governor Dobb's Tract, number five, to make Entries thereof and obtain Titles for the same.

Which was read the first time, passed and ordered to be sent to the Commons.

Received from the Commons a Bill for regulating the town of New Bern and other purposes therein mentioned.

Which was read the second time, amended, passed and ordered to be sent to the Commons.

Resolved, that Mr. James Robertson be allowed the sum of Four Hundred and Eighty-seven pounds 10 shillings and 1¾ pence in full of his pay from his appointment to this Day, and for all Disbursements expended on the Indians in behalf of this State.

That the Treasurer be directed to pay the same to Thoms Houghton for the use of the said James Robertson.

Ordered that the above Resolve, together with the following Message, be sent to the House of Commons:

Mr. Speaker & Gentlemen of the House of Commons:

We herewith send for your Concurrence a Resolve of this House in favour of Mr. James Robertson.

Received from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

This House have appointed Mr. Person, Mr. Jones, Mr. Nash, Mr. Courtney, Mr. Bloodworth and Mr. Hooper, a Committee on their part, to act jointly with such of your Body as you may think proper to appoint, to prepare and bring in a Bill for carrying the Confiscation act into Effect.

Ordered that the following Message be sent to the House of Commons:

Mr. Speaker & Gentlemen of the House of Commons:

We have received your Message appointing a Committee to prepare and bring in a Bill for carrying the Confiscation Act into Effect, and have, for that purpose, on our part appointed Mr. Coor.

Received from the Commons a Bill for annexing a part of Burke County to the County of Tryon and for other purposes.

Which was read the third time, passed and ordered to be sent to the Commons.

Received from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith return the Resolve of your House appointing Ellis Harling, Superintendant of Indian Affairs, concurred with.

Also the Resolve of this House referred to in the foregoing Message.

Endorsed in the House of Commons 29th January, 1779, Concurred with.

Received from the Commons a Bill to amend part of an Act entitled an Act for emitting Eight Hundred and fifty thousand pounds in Bills of Credit for discharging the Debts incurred by this State in raising Men to reinforce the Battalions belonging to this State in the Continental Army, for calling in all former Emissions and other purposes.

Which was read the first time, passed and ordered to be sent to the House of Commons.

Also a Bill for the suppression of Vice and immorality.

Which was read the second time, amended, passed and ordered to be sent to the Commons.

Also a Bill for annexing a part of Halifax County to Edgecomb and other purposes.

Which was read the third time, passed and ordered to be Engrossed.

Mr. Frazier moved for leave and presented a Bill to empower the County Courts of Martin and Tyrrell to lay a further Tax for defraying the expense of the public Buildings of the Counties aforesaid.

Which was read the first time, passed and ordered to be sent to the Commons.

Received from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith return the Resolve of your House in favour of James Robertson, concurred with.

Also the Resolve of this House referred to in the foregoing Message.

Endorsed in the House of Commons 29th January, 1779, Concurred with.

Received from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith return the address of thanks to the Honble Cornelius Harnett, John Penn and John Williams, Esquires, Concurred with.

At the same time Received the Report of the Committee appointed to prepare an address of thanks to the Honble Cornelius Harnett, John Penn and John Williams, Esquires.

Endorsed in the House of Commons 29th January, 1779, Concurred with.

Whereas, there are several Guns in the possession of Mr. Mial Scurlock, which were purchased for the use of the public and are unfit for service;

Resolved, therefore, that Colo. Ambrose Ramsay be hereby appointed to receive the said Guns from Mr. Scurlock and sell the same for the best price, and that he account with the next General Assembly for the money arising therefrom.

Ordered that the above Resolve, together with the following Message, be sent to the Commons:

Mr. Speaker & Gentlemen of the House of Commons:

We herewith send for your Concurrence a Resolve of this House for selling certain Guns which are in possession of Mr. Mial Scurlock.

Received from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your Concurrence a Resolve of this House declaring the Intent and meaning of the former Assessment Law, &c.

Also the Resolve therein referred to, which being read was Rejected.

Whereas, by the last Assessment Law it is required that each and every person in the State shall give in a true List on Oath of all his taxable property whatsoever to the Justice appointed to receive such List in the District in which each person respectively resides, and that the Assessors for such District shall assess all

such property, Notwithstanding which Overseers and others have been called upon to render in an Account of their employer's land and other taxable property in their care, lying in different parts of the State, who thereby are in danger of being subjected to a double tax, for remedy whereof it is hereby:

Resolved, that no Inhabitant of this State who hath complied with the direction of the aforesaid Act, by giving in an account of all his taxable property in the District or County where he usually resided, shall be liable to pay in any other District or County in this State, and in case any Tax hath been collected from the Estate of any such person he shall, on producing a Receipt for such Tax, be entitled to Receive the Amount thereof from the Sheriff of his County out of the next Year's public Tax, and the Sheriff of such County is hereby required and directed to pay the same, for which he shall be allowed in the settlement of his public Accounts.

Ordered that the above Resolve, together with the following Message, be sent to the Commons:

Mr. Speaker & Gentlemen of the House of Commons:

We have received your Message & Resolve, explaining the last Assessment Act, but cannot concur therewith, and propose the Resolve you will herewith receive in lieu thereof.

The House adjourned till tomorrow morning 9 o'clock.

Saturday, 30th January, 1779.

The House met.

Received from the Commons the following Message:

Mr. Speader & Gentlemen of the Senate:

We herewith send for your Concurrence a Resolve of this House for ascertaining the daily allowance of the members of this Assembly.

Also the Resolve therein referred to, as follows:

Resolved, that the Members of this Assembly be allowed ten dollars per Day each for their Attendance at, coming to and returning from this present Session of General Assembly.

The above Resolve being read was concurred with, and ordered that the following Message be sent to the House of Commons:

Mr. Speaker & Gentlemen of the House of Commons:

We herewith return the Resolve of your House for ascertaining the pay of the Members of the Assembly, Concurred with.

Mr. Kinchen moved for leave and presented a bill for apprehending and selling certain Slaves set free contrary to Law, and for confirming the Sales of others, and for other purposes.

Which was read the first time, passed, and ordered to be sent to the Commons.

Received from the Commons a Bill to empower the County Courts of Martin and Tyrrell to lay a further tax for defraying the Expense of the public Buildings of the Counties aforesaid.

Which was read the second time, passed, and ordered to be sent to the Commons.

Received from the Commons a Bill for ascertaining the Lines and Boundaries of a tract of Land lately granted to Samuel Spencer.

Which was read the second time and Rejected.

Received from the Commons a Bill to impower the Court of Bertie County to levy a further Tax for completing the public Buildings of said County and other purposes.

Which was read the second time, amended, passed and ordered to be sent to the Commons.

Received from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your Concurrence a Resolve of this House allowing Cap. Ralph Williams a certain Sum therein mentioned.

Also the Resolve referred to in the foregoing Message.

Endorsed in the Senate 30th January, 1779, Concurred with.

Ordered that the following Message be sent to the House of Commons:

Mr. Speaker & Gentlemen of the House of Commons:

We herewith return the Resolve of your House allowing Cap. Ralph Williams a certain Sum therein mentioned, Concurred with.

Resolved, that Cap. Matthew Wood do, without Delay, collect all the Regulars in and about Halifax together, with all the Militia Men directed to go to the Southward, and march the same by the most convenient Route to Kingston, where he is to obey such orders as he may receive from His Excellency the Governor.

Resolved further, that His Excellency dispose of said troops as he may think most proper.

That the Quarter Master General furnish the said Wood with necessary teams, and that William Amis supply him with sufficient provision for the purposes aforesaid.

Ordered that the above Resolve, together with the following Message, be sent to the House of Commons:

Mr. Speaker & Gentlemen of the House of Commons:

We herewith send for your Concurrence a Resolve of this House for ordering on the Regular troops in and about the town of Halifax to Kingston.

Colo. Martin moved for leave and presented a Bill to prescribe the Affirmation of Allegiance and Fidelity to this State to be taken by the people called Moravians, Quakers & Mennonists & Dunkards, and granting them certain Indulgencies therein mentioned, and for other purposes.

Which was read the first time, passed and ordered to be sent to the Commons:

Received from the Commons the following Message:

Mr. Speaker and Gentlemen of the Senate:

We herewith return the Resolve of your House you propose adopting in lieu of the one sent by this House for your Concurrence, explaining the last Assessment Act, agreed to.

Also the Resolve of this House referred to in the foregoing Message.

Endorsed In the House of Commons 30th January, 1779, Concurred with.

Colo. Russell has leave of absence for the remainder of the Session.

Whereas, the General Assembly on the 23rd day of January, Instant, did, by Resolve, appoint a Commissioner for each District in this State to purchase provisions, and granted to each of the said Commissioners the Sum of ten thousand pounds for that purpose; and whereas, it appears that the said appointments have manifestly occasioned a very great rise in the price of such provisions, to the great detriment of the good people of this State, therefore,

Resolved, that His Excellency the Governor be required not to issue any Warrant or Draught on the Treasury of this State to any of the aforesaid Commissioners.

Ordered that the Above Resolve, together with the following Message, be sent to the House of Commons:

Mr. Speaker & Gentlemen of the House of Commons:

We herewith send for your concurrence a Resolve of this House requiring the Governor to issue no Draughts on the Treasury in favour of the Commissioners appointed to purchase provisions, &c.

Received from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

This House have appointed Mr. William Baker on their part to examine the Engrossed Bills.

Ordered that Mr. Coor and Mr. McKenzie be appointed for the above purpose on the part of this House, and that the following Message be sent to the House of Commons:

Mr. Speaker & Gentlemen of the House of Commons:

Mr. Coor and Mr. McKenzie are appointed on the part of this House to examine the Engrossed Bills.

The House adjourned till Monday morning 9 o'clock.

MONDAY, 1st February, 1779.

The House met.

Whereas, Philip Alston, Lieut. Colonel of Cumberland County, is now absent on the service of this State, and at this Critical period it is highly necessary that there should be a Commanding Officer in that County,

Resolved, that Mr. David Smith be appointed Colonel of Cumberland County, until the next Session of General Assemcly or the return of the said Philip Alston.

Ordered that the above Resolve, together with the following Message, be sent to the Commons:

Mr. Speaker & Gentlemen of the House of Commons:

We herewith send for your Concurrence a Resolve of this House for appointing a Commanding Officer in Cumberland County, &c.

Received from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

This House have thought proper to refer the Accounts formerly allowed Colo. William Graham to the joint Committee appointed to examine the Accounts of William Gilbert, and desire your Concurrence thereto.

Ordered that the following Message be sent to the House of Commons:

Mr. Speaker & Gentlemen of the House of Commons:

We have received your Message proposing that the Committee appointed to examine the Accounts of William Gilbert be directed to reexamine the accounts of William Graham, to which we agree.

Received from the Commons following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith return the Resolve of your House ordering the Regular Troops in and about Halifax to Kinston, Concurred with.

At the same time Received the Resolve of this House referred to in the foregoing Message.

Endorsed in the House of Commons 30th January, 1779, Concurred with.

Received from the Commons the following Message:

Mr. Speker & Gentlemen of the Senate:

We herewith send for your Concurrence a Resolve of this House in favour of Mr. Jesse Walton, &c.

Also the Resolve therein mentioned, which being read,

Ordered that the following Message be sent to the House of Commons:

Mr. Speaker & Gentlemen of the House of Commons:

The Resolve of your House allowing Mr. Jesse Walton to draw a certain sum from the Treasury for the purpose of supplying the Troops ordered on the Indian Expedition, with provisions, you will with this receive, Concurred with.

Received from the Commons a Bill for dividing the County of Anson into two distinct Counties and other purposes therein mentioned.

Which was read the first time, passed and ordered to be sent to the Commons.

Also a Bill for Appointing Naval Officers in the different parts of this State and directing their duty in office, and for other purposes.

Which was read the first Time, passed and sent to the Commons.

Also a Bill to establish Courts of Chancery in this State and to regulate the manner of proceeding therein.

Which was read the first time, passed and sent to the Commons.

Also a Bill for apprehending and selling certain Slaves set free contrary to Law, and for confirming the Sales of others and for other purposes.

Which was read the second time, amended, passed and sent to the Commons.

Also a Bill to amend an act intitled an Act to amend an Act for establishing Offices for receiving Entries of Claims for Lands in the several Counties within this State; for ascertaining the Method of Obtaining Titles to the same, and for other purposes therein mentioned.

Which was read the first Time, passed and sent to the Commons.

Also a Bill to amend an Act entitled an Act for erecting a Prison in the town of Edenton, for the use of the District of Edenton.

Which was read the first Time, passed and sent to the Commons.

Also a Bill for establishing an Academy in the County of Granville, for appointing Trustees and other purposes.

Which was read the first time, passed and sent to the Commons.

Received from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

This House have appointed Mr. Hewes, Mr. Hawkins and Mr. Bloodworth, a Committee on their part, to take under consideration the Remonstrance of Mr. Adam Boyd, on behalf of the Continental Officers and Soldiers from this State, &c.

Ordered that the following Message be sent to the House of Commons:

Mr. Speaker & Gentlemen of the House of Commons:

We have received your Message appointing a Committee to consider of the Remonstrance of Mr. Adam Boyd, on behalf of the Continental Officers and Soldiers from this State, to which we agree and have on our part appointed Mr. Martin & Mr. ———

Mr. Birdsong moved for leave and presented a Bill to lay off and establish a Town on a Tract of land near Chatham Court House, on a Tract of land formerly the property of Ambrose Edwards, now entered in the Land Office by Ambrose George, in said County.

Which was read the first time, passed and sent to the Commons.

Mr. Davis moved for leave and presented a Bill to empower the County Courts respectively to order the laying out public

Roads, &c., and other purposes therein mentioned.

Which was read the first Time, passed and sent to the Commons.

Received from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

This House have appointed Mr. Hewes, Mr. Locke, Mr. Hawkins, Mr. Cogdell, Mr. Whitaker and Mr. Person, a Committee on their part, to act jointly with such Gentlemen of the Senate as may be appointed, to take under Consideration the Petition of Alexander Diack.

At the same time Received the Petition of the said Alex. Diack, which being read,

Ordered that the following Message be sent to the House of Commons:

Mr. Speaker & Gentlemen of the House of Commons:

We have appointed Colo. Martin, Mr. Corr and Mr. Kinchen, to act with the Gentlemen by you appointed, to take under consideration the Petition of Alexander Diack.

On motion, a Bill for dividing Tryon County into two distinct Coonties and for other purposes, was read the second time amended, passed and sent to the Commons.

Received from the Commons a Bill to amend an act to regulate the Pilotage of Cape Fear and Ocracock Bars, and the Rivers leading from the same to Brunswick, Wilmington, New Bern, Bath and Edenton.

Which was read the first time, passed and sent to the Commons.

Also a Bill to amend an Act entitled an Act to impower the Courts for the Counties of Tryon and Guilford to lay a Tax by Assessment for finishing the Court House, Prison and Stocks in the said Counties, and also to impower the several Counties in the District of Wilmington to levy taxes for building a District and Gaol and Gaoler's House in the Town of Wilmington, and other purposes therein mentioned.

Which was read the first time, passed and sent to the Commons.

Received from the Commons the following Message:

A Bill to divide Craven County into two distinct Counties, &c.
by Nat Bryan.

A Bill for annexing part of Halifax to Edgecombe.
by J. Haywood.

A Bill for Dividing Hertford County.
by Mr. Baker, of C.

A Bill for dividing Guilford.
by J. Haywood.

Fee Bill to Clerks and Sheriffs, &c.
by J. Haywood.

Anson Bill.
by J. Haywood.

A Bill for vesting the property of a Bridge in Gideon Lamb.
by J. Haywood.

A Bill for establishing Naval offices. by J. Haywood.

Governor Dobbs tract, No. 5. by J. Haywood.

Cambden County. by J. Haywood.
by J. Haywood.

Confiscation Act. by J. Haywood.

Examined.

Tuesday, 2d February, 1779.

The House met according to adjournment.

Received from the Commons a Bill for levying a further Tax on the taxable property of the Inhabitants of Cambden County for the purpose of finishing and completeing the Court House, prison and Stocks for the said County.

Which was read the first time, passed and sent to the Commons.

Also a Bill for erecting a Battery at Currituck Inlet, and for other purposes.

Which was read the first Time, passed and sent to the Commons.

Also a Blll to invest the property of a Bridge or Causeway in Gideon Lamb, his Heirs and Assigns, by him already built thro. the great Dismal Swamp, from Lebanon to Cambden County, for the Term of thirty-five years.

Which was read the first time, passed and sent to the Commons.

Received from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your Concurrence a Resolve of this House for enlarging the Parols of the Men and Officers therein mentioned.

Also the Resolve therein referred to, which being read, ordered that the following Message be sent to the Commons:

Mr. Speaker & Gentlemen of the House of Commons:

We herewith return the Resolve of your House for enlarging the Paroles of certain persons.

Concurred with.

Received from the Commons a Bill to prescribe the affirmation of Allegiance and Fidelity to this State, to be taken by the people called Moravians, Quakers, Mennonists and Dunkards, and granting them certain Indulgencies therein mentioned, and for other purposes.

Which was read the second time, amended, passed and sent to the Commons.

Received from the Commons a Bill for levying a tax for defraying the Contingencies of the several Counties in this State, and for other purposes therein mentioned.

Which was read the second time, amended, passed and sent to the Commons.

Also a Bill for extending the Boundary line between this State and the Commonwealth of Virginia.

Which was read the second time, amended, passed and sent to the Commons.

Also a Bill for altering the time of holding certain County Courts of Pleas & Quarter Sessions therein mentioned.

Which was read the second time, passed and sent to the Commons.

Also a Bill to lay off and establish a town near Chatham Court House, on the plantation and Land formerly the property of

Ambrose Edwards, now Entered in the Land Office by Ambrose George, in said County.

Which was read the second time, amended, passed and sent to the Commons.

Also a Bill for apprehending and selling certain Slaves set free contrary to law, and for confirming the Sales of others, and for other purposes, which was read the third time, passed and sent to the Commons.

Also a Bill to prevent stealing of Slaves, and for other purposes therein mentioned, which was read the second time and passed & sent to the Commons.

Also a Bill for establishing an Academy in the County of Granville, for appointing Trustees, and other purposes, which was read.

Then, on motion, ordered that Colonel Salter have leave to take out and amend said Bill.

Also a Bill to impower the County Courts of pleas & Quarter Sessions, in this State, to order the laying off public Roads, &c., and other purposes therein mentioned.

Which was read the second time, amended, passed and sent to the Commons.

And a Bill to impower the County Courts of Martin and Tyrrell to lay a further Tax for defraying the Expense of the public Buildings of the Counties aforesaid.

Which was read the third time, passed and sent to the Commons.

Whereas, it appears by a Resolve of the Continental Congress of the fifth of December, 1779, that the light Dragoons raised by this State should not be considered in the service of the United States after the first day of January, 1779; and,

Whereas, this State has no further Occasion for the Service of the said Troops, therefore,

Resolved, that the paymaster General do pay the aforesaid Troops from the aforesaid first day January up to the twelfth day of this month, and that they be thenceforth discharged from the Service of this State, and

Resolved, that the Quarter Master General demand and receive from the aforesaid Troops all such public Horses as may be in their possession, and sell them at public Sale and account for the same with the next General Assembly.

Ordered that the above Resolve, together with the following Message, be sent to the House of Commons:

Mr. Speaker & Gentlemen of the House of Commons:

You will with this Receive a Resolve of this House for discharging the light Dragoons raised by this State, &c.

Received from the Commons a Bill to establish the Seat of Government for the State of No. Carolina, for erecting public Buildings and providing proper Offices for the public Officers, and for the reception of the Public Records, and other purposes therein mentioned.

Which was read the first time, passed and sent to the Commons.

Also a Bill for dividing the County of Guilford into two distinct Counties, and other purposes therein mentioned.

Which was read the third time, amended by consent of both Houses, passed and ordered to be Engrossed.

The House adjourned till tomorrow morning 9 o'clock.

WEDNESDAY, 3d February, 1779.

The House met.

Mr. Ashe has leave of Absence from the Service of this House after tomorrow.

Received from the Commons a Bill for establishing an Academy in the neighbourhood of Hillsborough.

Which was read the third time, amended, passed and sent to the Commons.

Also a Bill to lay off and establish a Town near Chatham Court house on the plantation and Land formerly the property of Ambrose Edwards, now entered in the Land Office by Ambrose George, in said County.

Which was read the third time, passed and sent to the Commons.

Also a Bill for appointing Naval Officers in the different parts of this State and Directing their Duty in Office, and for other purposes.

Which was read the second time, amended, passed and sent to the Commons.

Also a Bill for extending the Boundary line between this State and the Commonwealth of Virginia.

Which was read the third time, amended, passed and sent to the Commons.

Also a Bill to amend and explain an Act for establishing Offices for receiving Entries of Claims for lands in the several Counties within this State, for ascertaining the method of obtaining Titles to the same, and for other purposes therein mentioned.

Which was read the second time and ordered to lie on the Table.

Whereas, the present mode of appointing Justices of the peace for the several Counties in this State, and the very great number of persons already in Commission, calls loudly for the Interposition of the Legislative Authority of this State to prevent the manifest Injury which must otherwise ensue,

Resolved, therefore, that for the future no person shall be added to the Commission of the peace for any County in this State, unless it shall appear to the Satisfaction of the Governor for the time being that there are not at that time more than fifteen persons in the Commission of the peace for such County.

Resolved, that the Speakers of both Houses of this General Assembly are hereby requested to strike from the List of Justices the names of all such persons who have been heretofore recommended and not yet qualified agreeable to Law.

Ordered that the above Resolve, together with the following Message, be sent to the House of Commons:

Mr. Speaker & Gentlemen of the House of Commons:

We herewith send for your Concurrence a Resolve of this House restricting the number of Justices in the several Counties within this State.

Received from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your Concurrence a Resolve of this House appointing Commissioners to erect Magazines for the reception of the Military Stores, &c., in this State.

Also the Resolve therein referred to, which being read, ordered that the following Message be sent to the House of Commons:

Mr. Speaker & Gentlemen of the House of Commons:

The Resolve of your House appointing Commissioners to erect Magazines for the reception of Military Stores in this State you will with this Receive, concurred with.

Received from the Commons a Bill to enable the Inhabitants of a certain Tract of Land lying in Mecklenburg County, known by the name of Governor Dobbs Tract, number five, to make Entries thereof and obtain Titles for the same.

Which was read the second time, amended, passed and sent to the Commons.

Received from the Commons a Bill for dividing the County of Anson into two distinct Counties, and other purposes therein mentioned.

Which was read the second time, passed and sent to the Commons.

Received from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your Concurrence a Resolve of this House for adding to the Delegation of this State in Congress, &c.

At the same time received the resolve of this House of Commons referred to in the foregoing Message, which being read, ordered that the following Message be sent to the House of Commons:

Mr. Speaker & Gentlemen of the House of Commons:

We herewith return the Resolve of your House for increasing the number of Delegates from this State in Congress, &c., Concurred with.

Received from the Commons the Bill for dividing Tryon County into two distinct Counties, and for other purposes.

Which was read the third time, amended, passed and sent to the Commons.

Mr. John Childs, the Member for Anson County, appeared and took his Seat.

Received from the Commons a Bill to carry into effect an act passed at New Bern, in November, in the year 1777, Entitled an Act for Confiscating the property of all such persons as are inimical to the United States, and of such persons as shall not within a certain time therein mentioned appear and submit to the State, whether they shall be received as Citizens thereof, and of such persons as shall so appear and shall not be admitted as Citizens, and for other purposes therein mentioned.

Which was read the first Time, passed and sent to the Com. mons.

Received from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

This House propose, if agreeable to the Senate, to Ballot at 4 o'clock in the afternoon for a Judge of the Superior Court in the stead of James Iredell, Esquire, resigned, two delegates to represent this State in Congress, one in the stead of John Williams, Esquire, resigned, the other to be added to the Delegation; a Brigadier General for the District of Wilmington, in the stead of General Ashe, promoted; A Councilor, in the room of William Gray, Esquire, deceased; A place for holding the next Assembly at; and put in Nomination for a Judge, John Williams (Granville) and Archibald Maclaine, Esquires; for Delegates, Joseph Hewes, Alexander Martin, William Sharpe and Thomas Barker, Esquires; for a Brigadier General, Alex. Lillington and Thomas Brown, Esqrs.; for a Councillor, Frederick Jones, Esquire; a place for holding the next Assembly at, the Towns of New Bern, Hillsboro and Campbelltown.

If you approve of this measure you'll signify the same by Message.

We have on our part appointed Mr. Person and Mr. Jno. Williams to superintend the Ballotting.

The same being read was concurred with.

Ordered that the following Message be sent to the House of Commons:

Mr. Speaker & Gentlemen of the House of Commons:

We have received your Message proposing that the General Assembly ballot at 4 o'clock this Evening for the several Offices therein mentioned, to which we agree, and put in nomination for a Delegate to represent this State in Congress, Mr. Benjamin Hawkins.

Ordered that Messrs. Coor and Exum superintend the Balloting on the part of this House.

The House adjourned till tomorrow morning 9 o'clock.

THURSDAY, 4th February, 1779.

The House met.

Mr. Thompson has leave of absence from the service of this House after Saturday next.

Mr. Coor, who was appointed on the part of this House to superintend the Balloting for Delegates, a Councillor, Brigadier General, Judge of the Superior Court and place where the next Assembly shall sit, reported, that Joseph Hewes and William Sharpe, Esquires, were duly Elected Delegates to represent this State in Congress for the Ensuing year; that Frederick Jones, Esquire, was elected Councillor; Archibald Maclaine, Esquire, Judge of the Superior Court, and that New Bern was the place chosen for the next Assembly to sit at.

Whereas, Men have been raised in this State for the service of the United States, agreeable to the aid Bill passed in November, 1777, and as it appears said Bill has had the Effect intended by the Assembly who passed it, and as it may be requisite to raise and march the Militia to defend this or any of the United States,

Resolved, therefore, that the Governor, with the advice of his Council, be and he is hereby impowered whenever he shall find it absolutely necessary to order out so many of the Militia, agreeable to the Militia Law, as he may judge the nature of the occasion requires and to march them, under proper Officers, wherever they may be wanted.

Ordered, that the above Resolve, together with the following Message, be sent to the House of Commons:

Mr. Speaker & Gentlemen of the House of Commons:

We herewith send for your Concurrence a Resolve of this House empowering His Excellency the Governor to order out the Militia upon an Emergency.

Received from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

This House have appointed Messrs. Person, Nash, Jones, Hawkins, Hewes, Hooper, Johnston, Cogdell and Respass, a Committee on their part to act jointly with a Committee of the Senate to take under Consideration the Memorial of James Iredell, Esquire, in behalf of Henry Eustace McKulloch.

Also a Message from Commons referring the Consideration of a Memorial of Thomas Benberry, Esq., in behalf of Thomas Oldham, and a Memorial from William Palmer in behalf of Robert Palmer, to the aforementioned Committee.

Which several Messages and papers relative thereto being read,

Resolved, that this House do not concur with the Commons in appointing a Committee for the aforesaid purposes, and that the following Message be sent to the House of Commons:

Mr. Speaker & Gentlemen of the House of Commons:

This House have received your Message referring the Consideration of several Memorials in behalf of Absentees to a Committee of both Houses, which we cannot concur with, the House being clearly of Opinion that the prayers of the said Memorials militate directly against the true Spirit and Intention of the Confiscation Act, and would be granting a partial Indulgence to a few Individuals who are equally as subject to the rigor of the Law as many others now in the same Situation.

Received from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your Concurrence the Report of the Committee appointed to examine into the quantity of public Tobacco, and Concurred with by this House.

Also the report of the Committee referred to in the foregoing Message, which being read was concurred with.

Ordered that the following Message be sent to the House of Commons:

Mr. Speaker & Gentlemen of the House of Commons:

We herewith return the Report of the Committee appointed to examine into the Quantity of public Tobacco, &c., Concurred with by this House.

Mr. Kinchen has leave of absence from the service of this House after this day.

Received from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith return the Resolve of your House in favour of the Inhabitants of the Island of Bermuda, Concurred with by this House.

At the same time received the Resolve of this House.

Endorsed in the House of Commons to February 1779, Concurred with.

Received from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your Concurrence a Resolve of this House impowering any three Justices of the peace in Bladen County to appoint Assessors, for the purpose therein mentioned.

Also the Resolve of the Commons referred to in the foregoing message, which being read was Concurred with.

Ordered that the following Message be sent to the House of Commons:

Mr. Speaker & Gentlemen of the House of Commons:

The Resolve of your House empowering any three Justices of the peace in Bladen County to appoint Assessors for a certain District in the said County, we herewith return you, Concurred with.

Received from the Commons a Bill to regulate and ascertain the Fees of Clerks in the Superior and County Courts, Justices of the peace, and Attornies in this State, and directing the Method of paying the same and other purposes.

Which was read the second time, amended, passed and sent to the Commons.

The House adjourned till tomorrow morning 9 o'clock.

FRIDAY, 5th February, 1779.

The House met.

Colo. Salter presented the Bill for establishing an Academy in the County of Granville, for appointing Trustees, and other purposes, which he had leave to take out and amend.

Ordered that the said Bill be read, which was read accordingly the second time, amended, passed and sent to the Commons:

Received from the Commons the following Message.

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your Concurrence a Resolve of this House in favour of Hance Bond, Captain of the Mariners, on board the Ship Caswell.

Also the Resolve of the Commons referred to in the foregoing Message, which being read was Concurred with.

Ordered that the following Message be sent to the House of Commons:

Mr. Speaker & Gentlemen of the House of Commons:

The Resolve of your House in favour of Capt. Hance Bond we herewith return you Concurred with.

Colo. Salter, from the Committee appointed to consider of Ways & means to supply the State with Arms, &c., Reported as follows:

That a proper person or persons be appointed, with full power to purchase or charter good Swift sailing Vessels on account of the State; that they also purchase a quantity of good Tobacco and other Articles of Export, and lade therewith such Vessels as they may be able to procure and send them to France, Spain, Holland, or some of the French or Dutch West India Islands, and order in return good Muskets, with Bayonets, Powder, Lead, Flints, Blankets, Hats, Shoes, Cloth for Soldiers Cloathing, and Tent Cloth. That in doing this care should be taken to divide

the Risk of such homeward bound Cargoes as much as possible by putting part of each in different Vessels.

That Commissioners be employed in the Sea port Towns to purchase any of the said Articles as may be imported by private Adventurers or offered for sale, and that they be empowered to enter into Contracts with such merchants and Traders as may be willing to import any of the before mentioned articles on their own proper Account and risque, and that as soon as they have entered into such Contract they shall transmit a Copy to the Governor and Council.

That His Excellency the Governor be requested to grant Warrants on the Treasurers, from time to time, payable to such Commissioners on their making it appear to him that such sums as they apply for are absolutely necessary in order to carry the purposes hereby intended into Effect.

That the said Commissioners give Bond and Security to the Governor or Commander in chief in the sum of fifty thousand pounds, with Condition for their faithful Discharge of the Trust reposed in them, and that they lay their Accounts and proceedings before the General Assembly when thereto required.

The House taking the said Report into Consideration Concurred therewith.

Ordered that the following Message be sent to the House of Commons:

Mr. Speaker & Gentlemen of the House of Commons:

We herewith send for your Concurrence the Report of the Committee appointed to consider of Ways and means to supply the State with Arms, &c.

Concurred with by this House.

Received from the Commons a Bill to dock the Entails of Lands, which was read the first time, passed and sent to the Commons.

Received from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

This House have appointed Mr. Hewes, Mr. Sessums and Mr. Johnston, a Committee, on their part, to act jointly with such Gentlemen of the Senate as may be appointed to examine and report on the accounts of Nicholas Long, Esq., Deputy Quarter Master General.

Ordered that the following Message be sent to the House of Commons:

Mr. Speaker & Gentlemen of the House of Commons:

We have received your Message appointing a Committee to examine and report on the Accounts of Nicholas Long, Esquire, to which we agree, and have appointed Messrs. McKenzie, Coor and Sumner, a Committee.

Received from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your Concurrence the Report of a Committee appointed to enquire into facts set forth in the Petition of Isaiah Paschal.

Concurred with by this House.

Also the Report of the Committee therein referred to, which being read was concurred with.

Ordered that the following Message be sent to the House of Commons:

Mr. Speaker & Gentlemen of the House of Commons:

The Report of the Committee appointed to inquire into facts set forth in the Petition of Isaiah Paschal we herewith return you Concurred with.

Colo. Martin, from the joint Committee of both Houses, appointed to take under Consideration the Memorial of the Rev. Mr. Adam Boyd, respecting the supplies of the North Carolina Troops in the Continental Service, Reported as follows:

That the faithful Services of the Officers of the North Carolina Troops in the Continental Service justly claim the notice of the Legislature, who, from their scanty pay and the great price of goods, with difficulty make a decent appearance.

It is therefore the Opinion of your Committee that they be comfortably and decently clad at the expense of the State, which would in some measure soften the rigor of their duty and enable them to perform the same with Cheerfulness, and that the Commissary of Stores be authorized to draw for that purpose fifteen

Thousand pounds from the Treasurer, which by the said Commissary shall be laid out in purchasing the following Articles of Clothing for every Officer now in said Service, to wit:

Cloth for a full suit of Cloaths, to contain one Coat, two Jackets and two pair of Breeches, Linen for four shirts and four Stocks, four pair of Stockings, one Hat, two Handkerchiefs, two pair of Shoes and one pair of Leather Boots.

Which said Articles shall be received from the Commissary aforesaid by the Quarter Master General of this State, who shall transmit the same to the Commanding Officer of said Troops or of separate corps of the same, by him to be distributed as a Gratuity of this State to every Officer as aforesaid.

Ordered that the foregoing Report, together with the following Message, be sent to the House of Commons:

Mr. Speaker & Gentlemen of the House of Commons:

You will with this receive the Report of the joint Committee appointed to take under Consideration the Memorial of the Reverend Mr. Adam Boyd, Concurred with by this House.

Received from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith return the Report of the Committee appointed to consider of ways and means to supply this State with Arms, &c., Concurred with.

At the same time received the Report of the Committee therein referred to.

Endorsed in the House of Commons 5th February, 1779, Concurred with.

Received from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith return the Report of the Committee appointed to take under Consideration the Memorial of the Rev. Adam Boyd, Concurred with by this House. At the same time received the Report of the Committee therein referred to.

Endorsed in the House of Commons 5th February, 1779, Concurred with.

Received from the Commons a Bill to empower the Court of Bertie County to levy a further Tax for compleating the public Buildings of said County and other purposes, which was read the third time, passed and sent to the Commons.

Received from the Commons a Bill to invest the property of a Bridge or Causeway in Gideon Lamb, his Heirs & Assigns, by him already built thro' the great Dismal Swamp, from Lebanon to Camden County, for the Term of twenty-five years.

Which was read the second time, amended, passed and sent to the Commons.

Also a Bill to establish Courts of Chancery in this State and to regulate the manner of proceeding therein.

Which was read the second time and rejected.

Then on motion, the Members who were against rejecting the said Bill entered the following protest:

Dissentient—

Because the want of such Courts has long been severely felt by great numbers of people, who can have no Redress in Courts of Law, and many of whom complain of hardships arising from Judgments of Law which equity alone can relieve.

Because, the System of English Jurisprudence is so interwoven with the present internal Policy of this State that any Considerable Innovation in the constituent parts thereof will be found not only inconvenient but almost impracticable, and from Time immemorial has been divided into two great Branches, each of which, upon different (tho' not inconsistent) principles, has for its great Object the Distribution of Justice.

Because, tho' that part of our Jurisprudence usually called the Common Law, forms the Basis of the whole, yet there are many Cases where it is necessary to apply to the conscience of the Party, who under the Solemnity of Religion may discover an undue advantage taken of his Adversary, Evidencies suppressed, Papers concealed, or a suit brought upon an Obligation secretly and bona fide discharged, in all which Cases the common Law affords no adequate or complete Relief.

Because, in particular the two great Cases of Mortgages and the ordering and compelling a specific Execution of Contracts, where the Common Law in the first Instance vests the Property absolute in the Mortgagee, upon the non payment at the day, and in the other case only gives a Compensation in Damages, which in many Cases will be far from being adequate, call aloud for the Establishment of such Courts, of which they are the proper Objects. There are also other Cases of Trust, unforeseen Accident, secret and artful Fraud, wherein Numbers of People at present, under the Impunity held forth to them by the Legislature, proudly and iniquitously triumph.

Because, the Declaration of the Bill of Rights, concerning a Trial by Jury, alluded to in the Debate, is a general Principle evidently affecting all Cases at Law, where that essential Mode of Trial is a necessary Barrier and Guard to our Liberties at Large, but cannot rationally, in our Opinion, affect the Establishment of that Court which the Constitution calls for, and which in its very Essence so far excludes the Idea or the Necessity of a Jury that they cannot exist together.

Because, notwithstanding the Trial by Jury was equally a favourite part of the English Constitution, and no people under Heaven have ever been more jealous of their Liberty than the Britons, yet they have found it necessary in that Country to have such a Court that has the Stamp of Antiquity, the Wisdom of Ages and all States a precedent for its support, for the peculiar & indispensable purposes it is meant to serve, without assigning it a Jury, and whose Proceedings by immediately applying to the Conscience of a Defendant and sifting Truth with the most penetrating Research, whenever it can be discovered, can neither admit or require a Jury.

Because, Courts of Law, thro' the Rigor of Form & Letter thereof, have been, and will be in many Instances, highly grievous to the subjects, without the Interposition of Courts of Equity, and they ought either to exist or be suspended together, we are convinced that any Attempt to give them a separate or confused Operation will only be found ridiculous and ineffectual, and we cannot think this Country non equal to the Business of framing an entire new Code of Laws for that purpose. We are concious of

having done our Duty in endeavouring to carry that Bill into Effect, and we desire by this protest to exculpate ourselves to our Country at large, to whom our Conduct is amenable.

Received from the Commons a Bill for appointing Naval Officers in the different ports of this State and directing their Duty in Office and for other purposes.

Which was read the third time, passed and Ordered to be Engrossed.

And a Bill to amend an Act entitled an Act to regulate the pilotage of Cape Fear & Ocracock Bars & the Rivers leading from the same to Brunswick, Wilmington, NewBern, Bath & Edenton.

Which was read the second time, passed and sent to the Commons.

The House adjourned till tomorrow morning 9 o'clock.

SATURDAY, 6th February, 1779.

The House met according to adjournment.

Ordered that the Clerk of this House make out the Estimate of allowances to the Members to Thursday next, inclusive, & that the following Message be sent to the Commons:

Mr. Speaker & Gentlemen of the House of Commons:

This House have ordered their Clerk to make up the Estimate of allowances to the Members to Thursday next, inclusive.

Received from the Commons a Bill to regulate & establish a Militia in this State.

Which was read the second time, amended, passed and sent to the Commons.

Received from the Commons a Bill to amend an Act entitled an Act to impower the Courts for the Counties of Tryon and

Guilford to lay a Tax by Assessment for finishing the Court House, prison & Stocks, in the said Counties, and also to impower the several Counties in the District of Wilmington to lay Taxes for building a District Gaol & Gaoler's House in the town of Wilmington, and other purposes therein mentioned.

Which was read the second Time and Rejected.

Received from the Commons a Bill for the Ease & Convenience of the Militia in the West End of Rowan County.

Which was read the third time and Rejected.

Received from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your Concurrence the Report of a Committee appointed to examine the payroll of Capt. Ptolemy Powell, Concurred with by this House, and a Resolve empowering the Treasurers, or either of them, to pay the amount of the said payroll.

Also the Resolve of the Commons and Report of the Committee referred to in the foregoing Message.

Which being read, Ordered that the following Message be sent to the Commons:

Mr. Speaker & Gentlemen of the House of Commons:

We herewith return the Resolve of your House in favour of Cap. Powell, Concurred with.

Received from the Commons a Bill to carry into Effect an Act passed at NewBern, in the year 1777, entitled an act for confiscating the property of all such persons as are inimical to the United States, and of such persons as shall not within a certain Time, therein mentioned, appear & submit to the State, whether they shall be received as Citizens thereof, and of such persons as shall so appear & shall not be admitted as Citizens, and for other purposes therein mentioned & for other purposes.

Which was read the second time, amended, passed and sent to the Commons.

The House adjourned till Monday morning 9 o'clock.

MONDAY, 8th February, 1779.

The House met.

Ordered that the following Message be sent to the Commons:

Mr. Speaker & Gentlemen of the House of Commons:

This House have appointed Mr. Coor and Mr. Sumner, to act with such Gentlemen as you may appoint, to receive the Old proclamation Money from the Treasurers and burn the same this Evening.

Received from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your Concurrence a Resolve of this House in favour of the Reverend Mr. Adam Boyd.

Also the Resolve of the Commons therein referred to.

Which being read, Ordered that the following Message be sent to the Commons:

Mr. Speaker & Gentlemen of the House of Commons:

We herewith Return the Resolve of your House in favour of the Revd. Adam Boyd, Concurred with.

Resolved, that all the old proclamation Monies which have been bona fide received by the Collectors of the several Districts within this State on or before the first day of February last, and since paid into the Hands of the Sheriff, shall be accounted for by the Treasurer with said Sheriff as if the same had been paid into his Hands on or before the Time aforesaid.

Ordered that the following Message be sent to the House of Commons:

Mr. Speaker & Gentlemen of the House of Commons:

We herewith send for your Concurrence a Resolve of this House empowering the Treasurer to receive such old proclamation Money as the Collectors had received bona fide before the first day of February.

Received from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

This House have received your Message appointing certain Gentlemen to receive of the Treasurer the old proclamation money and burn the same this Evening, and have for that purpose, on our part, appointed Messrs. Hunter, Williams (Caswell), Jordan, Mayo, Bloodworth, Relfe and Fifer.

Received from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your Concurrence the Report of the Committee appointed to re-examine the accounts of William Gilbert.

Also a Resolve of this House thereon.

At the same time Received the Report of the aforementioned Committee and the Resolve of the House of Commons thereon.

Which being read ordered that the following Message be sent to the House of Commons:

Mr. Speaker & Gentlemen of the House of Commons:

We herewith return the Report of the Committee appointed to re-examine the accounts of William Gilbert and the Resolve of your House thereon, Concurred with.

Received from the Commons a Bill for ascertaining what property in the State shall be deemed taxable property, the method of assessing the same, and collecting the public Taxes and other purposes.

Which was read the third time, amended, passed and sent to the Commons.

Received from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith return the Resolve of your House empowering the Treasurer to receive the old proclamation money therein mentioned, Concurred with.

Also the Resolve of this House therein referred to.

Endorsed in the House of Commons, 8th February, 1779.

Concurred with.

Received from the Commons a Bill for regulating the Town of NewBern and other purposes therein mentioned.

Which was read the third Time, passed and Ordered to be Engrossed.

Received from the Commons a Bill for establishing an Academy in the County of Granville, for appointing Trustees, and for other purposes.

Which was read the third time and Rejected.

Received from the Commons a Bill to enable the Inhabitants of a certain Tract of Land lying in Mecklenburg County, known by the name of Governor Dobbs Tract, number five, to make Entries thereof and obtain Titles for the same.

Which was read the third time, passed and ordered to be Engrossed.

Received from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your Concurrence a Resolve of this House directing Mr. James Green to pay a certain sum of Money into the public Treasury, which is in his hands, for certain Tory and public Horses sold by him.

Also the Resolve of the Commons referred to in the foregoing Message.

Which being read, was concurred with.

Ordered that the following Message be sent to the House of Commons:

Mr. Speaker & Gentlemen of the House of Commons:

We herewith return the Resolve of your House directing Mr. James Green to pay a certain Sum of Money into the Treasury, &c., Concurred with.

A letter from His Excellency the Governor to the General Assembly, and a letter from the Delegates of this State in Congress to his Excellency, was read.

Ordered that the following Message be sent to the Commons:

Mr. Speaker & Gentlemen of the House of Commons:

This House have received and considered a Letter from His Excellency the Governor, and a Letter from the Delegates from

this State to His Excellency, which we propose referring to a joint Committee of both Houses, and have appointed Messrs. Martin, Coor, Rogers, and Davis.

Received from the Commons a Bill for levying a further Tax on the taxable property of the Inhabitants of Cambden County, for the purposes of finishing and compleating the Court House, prison and Stocks for the said County.

Which was read the second time, passed and sent to the Commons:

Also a Bill for erecting a Town in the County of Washington.

Which was read the second time, passed and sent to the Commons.

Also a Bill for raising forces for the defence of this and the neighbouring States, and other purposes.

Which was read the second time, amended, passed and sent to the Commons.

Also a Bill to dock the Entails of Land.

Which was read the second Time and rejected.

Received from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

This House have received the Message of yours appointing certain Gentlemen therein mentioned to act jointly with a Committee of this House to take under Consideration the Letters, &c., therein referred to, and have for that purpose, on our part, appointed Messrs. Nash, Hooper, Jones, and Locke.

The House adjourned till tomorrow morning 9 o'clock.

Tuesday, 9th February, 1779.

The House met.

Resolved, that the Treasurers, or either of them, pay Mr. Chas. Waddell, for himself and Guard, for conveying prisoners to Salisbury Gaol, the sum of Eleven pounds five shillings, and be allowed the same in their public Accounts.

Ordered that the above Resolve, together with the following Message, be sent to the Commons:

Mr. Speaker & Gentlemen of the House of Commons:

We herewith send for your Concurrence a Resolve of this House

in favor of Charles Waddell. For your further Information we send you said Waddell's account.

Resolved, that Colo. Wm. Bryan, of Johnston County, be allowed two Hundred and seventy one pounds twelve shillings and eleven pence for that sum by him expended on behalf of the public; that the Treasurers, or either of them, pay him the same and be allowed.

Ordered that the above Resolve, together with the following Message, be sent to the House of Commons:

Mr. Speaker & Gentlemen of the House of Commons:

Herewith you will receive a Resolve of this House in favour of Colo. Wm. Bryan, of Johnston County, together with his Account, which we send for your Concurrence.

Resolved, that Dr. Charles Pasteur be allowed the sum of One Hundred & ten pounds for Medicines furnished sundry sick Soldiers at Halifax, and administering the same, and that the Treasurers, or either of them, pay him the same, who shall be allowed, &c.

Ordered that the following Message be sent to the Commons:

Mr. Speaker & Gentlemen of the Commons:

We herewith send for your Concurrence a Resolve of this House in favor of Charles Pasteur, Esquire.

Resolved, that Mr. William Woolton be allowed a further sum of five thousand pounds to enable him to comply with the Contracts he has made for provisions. That the Treasurers be directed to pay him the same, who shall be allowed in his account.

Ordered that the above Resolve, together with the following Message, be sent to the Commyns:

Mr. Speaker & Gentlemen of the House of Commons:

We herewith send for your Concurrence a Resolve of this House in favour of Mr. William Woolton.

Received from the Commons a Bill to amend part of an Act entitled an Act for emitting Eight hundred and fifty thousand pounds in Bills of Credit for discharging the Debts incurred by this State, &c., &c., &c.

Which was read the second time, amended, passed and sent to the Commons.

Received from the Commons a Bill to prescribe the Affirmation of Allegiance and Fidelity to this State to be taken by the people called Moravians, Quakers, Mennonists & Dunkards and granting them certain Indulgencies therein mentioned, and for other purposes.

Which was read the third time, passed and sent to the Commons.

Received from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your Concurrence a Resolve of this House allowing Messrs. Savage & Westmore a certain Sum therein mentioned.

Also the Resolve of the Commons therein referred to, which being read was Concurred with.

Ordered that the following Message be sent to the House of Commons:

Mr. Speaker & Gentlemen of the House of Commons:

We herewith Return the Resolve of your House in favour of Messrs. Savage & Westmore, concurred with by this House.

Received from the Commons the following Message:

Mr. Speaker & Gentlemen of the House of Commons:

We herewith send you the Petition of John Cruden, Sen., which we have thought proper to refer to the Committee appointed to take under Consideration the Memorial, rejected, of James Iredell, Esquire.

We also propose that the same Committee take under Consideration the Memorial of the Honble. Thomas Benbury, Esquire, in behalf of Thomas Oldham, late of Chowan County, and desire your Concurrence thereto.

The foregoing Message being taken into Consideration, resolved that it be rejected.

Received from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith return the Resolve of your House in favour of Charles Waddell, Concurred with.

At the same time Rec'd the Resolve of this House referred to in the foregoing Message.

Endorsed in the House of Commons 9th February, 1779, Concurred with.

Received from the Commons a Bill for altering the times of holding certain County Courts of pleas & Quarter Sessions therein mentioned.

Which was read the third time, passed and sent to the Commons.

Received from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith return the Resolve of your House in favour of Colo. William Bryan, of Johnston County, Concurred with.

At the same time received the Resolve of this House referred to in the foregoing Message.

Endorsed in the House of Commons 9th February, 1779, Concurred with.

Received from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith return the Resolve of your House in favour of Mr. William Wooten, Concurred with.

At the same time received the Resolve of this House referred to in the foregoing Message.

Endorsed in the House of Commons 9th February, 1779, Concurred with.

Received from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith return the Resolve of your House in favour of Charles Pasteur, Esq., Concurred with.

At the same time Received the Resolve of this House referred to in the foregoing Message.

Endorsed in the House of Commons 9th February, 1779, Concurred with.

Received from the Commons a Bill to amend an Act for erecting a Prison in the Town of Edenton, for the use of the District of Edenton.

Which was read the second time, passed and sent to the Commons.

Received from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your concurrence a Resolve of this House permitting William Gilbert to resign the Office of a Justice of the peace of Tryon County.

Also the Resolve therein referred to, which being read was concurred with.

Ordered that the following Message be sent to the House of Commons:

Mr. Speaker & Gentlemen of the House of Commons:

This House unanimously agree that Mr. Gilbert shall resign his Office as a Justice of the peace.

Received from the Commons a Bill to amend an Act entitled an Act to amend an Act for establishing Offices for receiving Entries of Claims for Lands in the several Counties within this State, for ascertaining the Method of obtaining Titles to the same, and for other purposes therein mentioned.

Which was read the second Time, amended, passed and sent to the Commons.

Also a Bill to amend and explain an Act for establishing offices for receiving Entries of Claims for Lands in the several Counties within this State, for ascertaining the Method of obtaining Titles to the same, and for other purposes therein mentioned.

Which was read the second time and Rejected.

Received from the Commons a Bill to regulate and ascertain the Fees of Clerks in the Superior & County Courts, Justices of the peace, and Attornies, in this State, and directing the Method of paying the same, and other purposes.

Which was read the third time, amended and, by the Consent of both Houses, passed and ordered to be Engrossed.

Received from the Commons a Bill for dividing the County of Anson into two distinct Counties, and other purposes therein mentioned.

Which was read the third time, amended, by Consent of both Houses, passed and Ordered to be Engrossed.

Also a Bill to invest the property of a Bridge or Causeway in Gideon Lamb, His Heirs & Assigns, by him already built thro. the great Dismal Swamp from Lebanon to Cambden County, for the term of twenty five years.

Which was read the third time, passed and ordered to be Engrossed.

Resolved, that Doctor Charles Pasteur be allowed a further Sum of One Hundred and fifty-two pounds seventeen Shillings, being the Ballance of his account.

Ordered that the above Resolve, together with the following Message, be sent to the House of Commons:

Mr. Speaker & Gentlemen of the House of Commons:

We herewith send for your Concurrence a Resolve of this House in favour of Dr. Charles Pastuer, being the Ballance of his account, it sufficiently appearing that the account is justly due.

Received from the Commons a Bill for levying a Tax for the year 1779 and other purposes.

Which was read the third time, passed and sent to the Commons.

Also a Bill to amend an Act entitled an Act to regulate the Pilotage of Cape Fear and Ocracock Bars, and the Rivers leading from the same to Brunswick, Wilmington, NewBern, Bath & Edenton.

Which was read the third time, passed and Ordered to be Engrossed.

Also a Bill for erecting a Town in the County of Washington.

Which was read the third time, amended and Rejected.

The House adjourned till tomorrow morning 9 o'clock.

Wednesday, 10th February, 1779.

The House met.

Whereas, from the rapid Rise of every necessity of life, it is expedient to raise the Salaries of many of the public Officers of this State.

Resolved therefore, that for the future His Excellency the Governor be allowed after the rate of three thousand pounds per Annum, the Members of the Council of State at the rate of four pounds per Day while in Service of the public, Secretary at the rate of One Thousand pounds per Annum, the Judges of the Superior Court two Hundred & fifty pounds each per Court, the Attorney General at the rate of One thousand pounds per Annum,

and the Treasurer at the rate of Two thousand pounds per Annum.

Ordered that the above Resolve, together with the following Message, be sent to the House of Commons:

Mr. Speaker & Gentlemen of the House of Commons:

Herewith you will Receive a Resolve of this House for raising the Salaries of several of the public Officers of this State.

Received from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith return the Resolve of your House in favour of Doctor Charles Pasteur concurred with.

Also the resolve of this House referred to in the foregoing Message.

Endorsed In the House of Commons 9th February, 1779, Concurred with.

Received from the Commons a Bill for levying a further Tax on the taxable property of the Inhabitants of Camden County, for the purpose of finishing and compleating the Court House, prison and Stocks, for the said County.

Which was read the third Time, passed and ordered to be Engrossed.

Mr. Coor, who was appointed on the part of this House to receive the old Money from the Treasurer & see the same burned, reported that he attended, and that the Committee received of Gen. William Skinner, the Northern Treasurer, the sum of Twenty-two thousand seven Hundred and ninety-one pounds seven shillings, which was burned and destroyed.

Resolved, that Thomas Sitgreaves, Sen., of New Bern, Nathan Revis, of Washington, and Joseph Collins, of Edenton, or any two of them, be and they are hereby empowered and required to purchase or charter two good well found swift sailing Vessels for the use of this State.

Resolved also, that Benjamin Hawkins be and he is hereby appointed Commercial Agent for the State, and that His Excellency the Governor be requested to commission him accordingly, and that the said Hawkins do purchase two Hundred hogshead of good Tobacco to be shipped on board the Vessels directed to be purchased by the aforesaid Commissioners, and that he proceed

as soon as may be to France, Spain, Holland, or elsewhere, for the express purpose of purchasing and importing necessaries for this State, to-wit: Muskets with Bayonets, Powder, Lead, Flints, Blankets, Hats, Cloth for Soldiers Cloathing, Tent Cloth, &c. That in doing this he should take particular care to divide the risque of such goods in as many homeward bound Vessels as possible, and that he govern himself by such Instructions as he shall from time to time receive from His Excellency the Governor. That the Governor be required to issue Warrants on the Treasury in favor of the aforesaid Commissioners and Agent for such Sums as will be necessary to carry this Resolve into Effect, they giving Bond & Security for the due application of the same.

Resolved, that if either of the above Mentioned Commissioners or the Agent should resign or refuse to act the Governor & Council be and they are hereby empowered and required to appoint others in their stead.

That the aforesaid Commissioners be and they are hereby empowered to purchase such Arms, Cloathing, Tent Cloth, &c., as shall be offered for sale in this State, and that they be allowed the usual Commission for such Services.

Ordered that the above Resolve, together with the following Message, be sent to the House of Commons:

Mr. Speaker & Gentlemen of the House of Commons:

You will with this Receive a Resolve of this House appointing persons for certain purposes therein mentioned, which we send for your Concurrence.

Colo. Martin has leave of absence from the Service of this House after today.

Resolved, that Colo. Robert Salter be recommended to His Excellency the Governor as a proper and suitable person to command the Detachment which may be sent from the Militia of this State as an escort to the Commissioners for running the dividing line between this State and the State of Virginia, in case any such Detachment should be deemed necessary.

Ordered that the above Resolve, together, with the following Message, be sent to the Commons:

Mr. Speaker & Gentlemen of the House of Commons:

We herewith send for your Concurrence a Resolve of this House recommending Colo. Robr. Salter to the Command of the

Detachment to be ordered as an escort to the Commissioners who are to run the dividing line between this State and the State of Virginia.

Received from the Commons a Bill to amend an Act entitled an Act for erecting a Prison in the Town of Edenton for the use of the District of Edenton, and for other purposes.

Which was read the third time, amended by consent of both Houses, passed and ordered to be Engrossed.

Resolved, that the Commissary of Stores be directed to pay Dr. William Savage the sum of Eight Hundred & Eighty-four pounds twelve shillings, being the amount of sundries delivered by Thomas Sitgreaves & Son in behalf of said Savage to Colo. Chariol's Troops, by order of His Excellency the Governor.

Ordered that the above Resolve, together with the following Message, be sent to the House of Commons:

Mr. Speaker & Gentlemen of the House of Commons:

We herewith send for your Concurrence a Resolve of this House in favour of Dr. William Savage.

Whereas, the great Delay in the Settlement of the Continental Debt of this State has been occasioned from the public Account of the same, and the Individuals thereof being so complicated and perplexed that the Committee of the General Assembly, as heretofore appointed, have not Leisure or time during the Session to adjust the same.

Resolved, therefore, that a Board of Auditors be appointed and constituted consisting of three Gentlemen of Skill and Abilities in Accounts, who shall examine and State all former public and private Accounts and Claims and lay the same before the next General Assembly, and in order to prevent any Impositions on the public that the said Auditors keep Books well bound in which they shall State all accounts so examined against the United States and Inhabitants of this State since the Commencement of the present War with Great Britain; and,

Resolved also, that Messrs. Christopher Neale, John Sitgreaves and John Hunt, or any two of them, be and they are hereby appointed Auditors for the purpose aforesaid, who shall be allowed the Sum of One thousand pounds each, and such other Sums as a future Assembly may think their Services merit; And, in case of

the Death, removal or refusal to act of any of the said Auditors, that His Excellency the Governor be and he is hereby empowered to appoint another person of Skill and Abilities in the Room of the person or persons so dying, removing or refusing to act; and,

Resolved further, that the said Auditors, or a Majority of them, shall have free access to all public papers & accounts, and shall have power to remove the same to any place they shall think most convenient.

Ordered that the above Resolve, together with the following Message, be sent to the House of Commons:

Mr. Speaker & Gentlemen of the House of Commons:

We herewith send for your Concurrence a Resolve of this House appointing Auditors to settle and adjust the public Accounts.

Received from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your Concurrence the Report of the Committee appointed to consider His Excellency the Governor's Letter, together with a Letter from the North Carolina Continental Delegates, Concurred with by this House.

Also the Report of this Committee relative to His Excellency's Letter, &c.

Which being read, was Concurred with.

Ordered that the following Message be sent to the House of Commons:

Mr. Speaker & Gentlemen of the House of Commons:

We return you with this the Report of the Committee appointed to consider the letter of His Excellency the Governor, and a letter from the North Carolina Continental Delegates, &c., Concurred with.

Received from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith return the Resolve of your House appointing persons for purposes therein mentioned, Concurred with.

Also the Resolve of this House relative to Commissioners for purchasing Vessels, &c., referred to in the foregoing Message.

Endorsed in the House of Commons 10th February, 1779, Concurred with.

Received from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith return the Resolve of your House recommending Colo. Robert Salter to the Command of the Detachment ordered as an Escort to the Commissioners, &c., Concurred with.

At the same time received the Resolve of this House referred to in the foregoing Message.

Endorsed in the House of Commons 10th February, 1779, Concurred with.

Received from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your Concurrence a Resolve of this House in favour of Doctor William Savage, Concurred with.

At the same time Received the Resolve of this House referred to in the foregoing Message.

Endorsed in the House of Commons 10th February, 1779, Concurred with.

Received from the Commons a Bill to prevent stealing of Slaves and other purposes.

Which was read the third time, passed and sent to the Commons.

The House adjourned till tomorrow morning 9 o'clock.

THURSDAY, 11th February, 1779.

The House met.

Colo. Rogers, from the Committee appointed to reconsider the accounts of Mr. Graham, reported as follows:

The Depositions exhibited by Mr. Gilbert, against Mr. Graham, appeared to your Committee to have been improperly taken, and, upon examining Mr. Graham's Accounts, we find by the Vouchers that he hath received no more money from the public than what he was justly entitled to, and lastly, upon thoroughly investigating the Charges alledged against Mr. Graham, we find them to to have been malicious and groundless.

All which is submitted.

The House taking said Report into consideration, Concurred therewith, and ordered that the following Message be sent to the House of Commons:

Mr. Speaker & Gentlemen of the House of Commons:

We herewith send for your Concurrence the Report of the Committee appointed to examine the Accounts of Wm. Graham, Concurred with by this House.

Resolved, that Whitmell Hill, Esquire, be allowed the sum of Two Hundred and fifty-two pounds five shillings and two pence, being the Ballance of Bounty money advanced by him to the Volunteers & Ballotted Men of Martin County.

Ordered that the above Resolve, together with the following Message, be sent to the House of Commons:

Mr. Speaker & Gentlemen of the House of Commons:

We herewith send for your Concurrence a Resolve of this House allowing Whitmell Hill, Esquire, a certain sum of money advanced to the Volunteers & Ballotted Men of Martin County.

Received from the Commons the following Message:

Mr. Speaker and Gentlemen of the Senate:

We herewith send for your Concurrence a Resolve of this House appointing John Hunt to settle the public Accounts, which passed this House some Days ago.

Also the Resolve of the House of Commons referred to in the foregoing Message.

Which being read was rejected, and ordered that the following Message be sent to the House of Commons:

Mr. Speaker & Gentlemen of the House of Commons:

This House have received your Message appointing Mr. John Hunt, Sole Auditor, &c., and cannot concur therewith.

This House would wish to avoid giving the public Reason to say that instead of employing Men adequate to the Service of the State we endeavour to render offices Suitable to the convenience of the Individuals.

We hope the Commons will reconsider the Resolution of this House appointing three Auditors, and adopt the same; otherwise the Senate consider this as a protest against the proceedings of the Commons, who, from partiality to an Individual, deny Justice to the public.

Received from the Commons the following Message:

This House have Resolved that William Bryan have leave to resign his Command as Colo. of Johnston County, as also the Office of a Justice of the peace, agreeable to his request herewith sent you, and desire your Concurrence.

Ordered that the following Message be sent to the House of Commons:

Mr. Speaker & Gentlemen of the House of Commons:

This House have received your Message permitting Mr. Bryan to resign the Command of Johnston County and his Office of a Justice of the peace.

With which we concur.

Received from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

This House have ordered their Clerk to make out the Estimate of allowances to include to-morrow.

Ordered that the following Message be sent to the Commons:

Mr. Speaker & Gentlemen of the House of Commons:

This House concur with yours in ordering the Clerks to make out the Estimate to include to-morrow.

Resolved, that Mr. William Amis be allowed to draw the sum of four thousand pounds from the Treasury, who shall accoūnt with the next Assembly for the same.

Ordered that the above Resolve, together with the following Message, be sent to the Commons.

Mr. Speaker & Gentlemen of the House of Commons:

We herewith send for your concurrence a Resolve of this House in favour of Mr. William Amis.

The Petition of Joshua Parker, setting forth that he was taken up as a Vagrant & turned into the Continental Service, being read & it appearing that the measure was unjust,

Resolved that the said Joshua Parker, be and he is hereby discharged from the service.

Ordered that the foregoing Resolves, together with the following Message, be sent to the House of Commons:

Mr. Speaker & Gentlemen of the House of Commons:

We herewith send for your Concurrence a Resolve of this House for discharging a certain Joshua Parker from the Continental Service.

Received from the Commons the following Message:

Mr. Speaker and Gentlemen of the Senate:

We herewith return the Resolve of your House in favour of Whitmell Hill, Esquire, Concurred with.

At the same time received the Resolve of this House referred to in the foregoing Message.

Endorsed in the House of Commons 11th February, 1779, Concurred with.

Received from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith return the Resolve of your House in favour of William Amis, Concurred with.

At the same time received the Resolve of this House referred to in the foregoing Message:

Endorsed in the House of Commons 11th February, 1779, Concurred with.

Received from the Commons a Bill to carry into Effect an act passed at New Bern in November, in the year one thousand seven hundred & seventy-seven, intitled an act for confiscating the property of all such persons as are inimical to the United States, and of such persons as shall not within a certain Time therein mentioned appear an submit to the State whether they shall be received as citizens thereof, and of such persons as shall so appear and shall not be admitted as citizens, & for other purposes therein mentioned & for other purposes.

Which was read the third time, amended by consent of both Houses, passed and Ordered to be Engrossed.

Received from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your Concurrence a Resolve of this House for authenticating a plan of the Town of New Bern by a Certificate Endorsed thereon and signed by the Speakers of both houses.

Also the Resolve therein referred to, which being read was concurred with.

Ordered that the following Message be sent to the House of Commons:

Mr. Speaker & Gentlemen of the House of Commons:

We herewith return the Resolve of your House for authenticating the plan of New Bern, Concurred with.

Received from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith return the Resolve of your House for discharging a certain Joshua Parker from the Continental Service, concurred with by this House.

At the same time received the Resolve of this House referred to in the foregoing Message.

Endorsed in the House of Commons 11th February, 1779, Concurred with.

Received from the Commons a Bill to Regulate & establish a Militia in this State.

Which was read the third time, amended by consent of both Houses, passed and ordered to be Engrossed.

Received from the Commons the following Message:

Mr. Speaker and Gentlemen of the Senate:

We herewith send for your Concurrence the Report of the Committee appointed to settle the Accounts of Nicholas Long, Esq., Deputy Quarter Master General, Concurred with by this House.

At the same time received the Report of the Committee referred to in the foregoing Message, which being read was Concurred with.

Ordered that the following Message be sent to the Commons:

Mr. Speaker and Gentlemen of the House of Commons:

We herewith return the Report of the Committee appointed to settle the accounts of Nicholas Long, Esq., concurred with.

Received from the Commons a Bill to amend part of an Act entitled an Act for Emitting Eight hundred and fifty thousand pounds in Bills of Credit for discharging the Debt incurred by this State in raising Men to reinforce the Battalions belonging to this State in the Continental Army, for calling in all former emissions & other purposes.

Which was read the third time, passed & ordered to be Engrossed.

Received from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

This House have Resolved that Benjamin Blount have leave to resign the office of Colonel of Tyrrell County & desire your Concurrence.

Ordered that the following Message be sent to the House of Commons:

Mr. Speaker and Gentlemen of the House of Commons:

We concur with your Resolve relative to Mr. Blount's resigning his Command in Tyrrell County.

The House adjourned till tomorrow morning 9 o'clock.

Friday, 12th February, 1779.

The House met.

Received from the Commons a Bill to amend an Act entitled an Act to amend an Act for establishing offices for receiving Entries of Claims for Lands in several Counties within this State, for ascertaining the Method of obtaining Titles to the same & for other purposes therein mentioned.

Which was read the third time, amended by Consent of both Houses, passed and Ordered to be Engrossed.

Received from the Commons the following Message:

Mr. Speaker and Gentlemen of the Senate:

We herewith send for your Concurrence a Resolve of this House allowing Nathan Williams a certain sum therein mentioned.

Also the Resolve therein referred to, which was read and concurred with.

Also the following Message:

Mr. Speaker and Gentlemen of the Senate:

We herewith send for your Concurrence a Resolve of this House allowing John Armstrong a certain sum therein mentioned.

Also the resolve therein referred to, which was read & concurred with.

Also the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your Concurrence a Resolve of this House in favour of Mr. Agerton.

Also the Resolve therein referred to, which was read & concurred with.

Also the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your Concurrence a Resolve of this House in favour of William Wilkinson.

Also the Resolve therein referred to, which being read was concurred with.

Also the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your Concurrence the Report of a Committee appointed to examine the Accounts of Cap. Christopher Dudley, Concurred with.

Also the Report of the Committee aforementioned.

Which being read, was concurred with.

Also the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your Concurrence the Report of a Committee appointed to take under Consideration the Petition of Corlin Wallard and William Coughton, Concurred with by this House.

Also the Report of the Committee therein referred to, which being read was concurred with.

Ordered that the following Message be sent to the House of Commons:

Mr. Speaker & Gentlemen of the House of Commons:

We herewith return the Resolve of your House in favour of Cap. Nathan Williams, Concurred with.

We also concur with the Report of the Committee relative to Mr. Christopher Dudley.

We also concur with your Resolve in favour of John Armstrong, & you will likewise receive your Resolve in favour of Agerton, Concurred with.

The Resolve in favor of William Wilkinson we likewise concur with, & the Report of the Commons relative to Corlin Wallard & William Coughton.

Whereas, at the present alarming Situation of affairs it is absolutely necessary that there should be a Commanding Officer in the County of Cumberland;

Resolved therefore, that Colo. David Smith be and he is hereby appointed Colo. Commandant Cumberland County, until the return of ——.

Ordered that the following Message be sent to the House of Commons:

Mr. Speaker & Gentlemen of the House of Commons:

We have appointed Col. Graham & Mr. Shepherd to act with the Gentlemen by you appointed to consider and report upon sundry letters, &c.

Received from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith return the Resolve of your House for Discharging the light Dragoons raised by this State.

Also the Resolve of this House.

Endorsed in the House of Commons 12th February, 1779, Concurred with.

Received from the Commons a Bill for raising forces for the defence of this & the Neighboring States, and other purposes therein mentioned.

Which was read the third time, passed & Ordered to be Engrossed.

Received from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith return the Resolve of your House appointing Colo. David Smith Commandant Colonel of Cumberland County, and the Resolve for disarming the disaffected persons in this State, Concurred with.

At the same time Received the Resolve of this House appointing Colo. Smith & the resolve for disarming the Disaffected persons, &c.

Endorsed in the House of Commons 12th February, 1779, Concurred with.

Mr. Coor who was appointed on the part of this House to consider and examine the Accounts of Thomas Craike, Esquire, Deputy Commissary General of Stores, made report, which being read was Concurred with.

Ordered that the following Message be sent to the Commons:

Mr. Speaker & Gentlemen of the House of Commons:

We herewith send for your Concurrence the Report of the Committee appointed to examine the Accounts of Thomas Craike, Esquire, Concurred with by this House.

Received from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith return the Report of the Committee appointed to

examine the Accounts of Thomas Craike, Esquire, Concurred with.

At the same time Received the Report of the aforementioned Committee.

Endorsed In the House of Commons 12th February, 1779, Concurred with.

Resolved, that Colo. Nicholas Long, Deputy Quarter Master General, be requested immediately to send off for Salisbury & deliver to Mr. Mathew Lock One thousand pounds of Gun powder and twice the quantity of Lead for the service of the Troops now to be raised.

Ordered that the Above Resolve, together with the following Message, be sent to the House of Commons:

Mr. Speaker & Gentlemen of the House of Commons:

Herewith you will receive a Resolve of this House for conveying Powder, &c., to Salisbury, which we send for your Concurrence.

Received from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your Concurrence the Report of the Committee appointed to consider and report upon the Letters from the Frontiers, &c., concurred with by this House.

At the same time received the Report of the Committee aforementioned, which being read was concurred with.

Ordered that the following Message be sent to the Commons:

Mr. Speaker & Gentlemen of the House of Commons:

Herewith you will receive the Report of the Committee appointed to consider and report upon the Letters from the Frontiers &c., concurred with.

Received from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

This House have resumed the Consideration of the Resolve of your House ascertaining the pay of several State Officers, which we herewith return you concurred with.

At the same time Received the Resolve this of House referred to in the foregoing Message.

Endorsed in the House of Commons 12th February, 1779, Concurred with.

Received from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith return the Resolve of your House for conveying powder, &c., to Salisbury, Concurred with.

At the same time Received the Resolve of this House referred to in the foregoing Message.

Endorsed in the House of Commons 12th February, 1779, Concurred with.

Received from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your Concurrence a Resolve of this House allowing Thomas Craike, Esquire, Commissary of Stores, a certain sum therein mentioned.

At the same time Received the Resolve of the Commons referred to in the foregoing Message, which being read was Concurred with.

Ordered that the following Message be sent to the House of Commons:

Mr. Speaker & Gentlemen of the House of Commons:

You will with this Receive the Resolve of your House in favour of Thomas Craike, Esq., Concurred with.

Received from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your Concurrence a Resolve of this House impowering the Justices within the several Counties in this State to seize and secure disaffected persons, &c.

At the same time received the Resolve therein referred to, which being read was concurred with.

Also the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your Concurrence a Resolve of this House allowing General William Skinner a certain sum therein mentioned.

At the same time received the Resolve of the Commons referred to in the foregoing Message, which being read was concurred with.

Ordered that the following Message be sent to the House of Commons:

Mr. Speaker & Gentlemen of the House of Commons:

We herewith return the Resolve of your House empowering the Justices in the several Counties of this State to secure disaffected persons, Concurred with.

We likewise concur with your Resolve in favor of General Skinner.

Received from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your Concurrence a Resolve of this House requesting the Speakers of both Houses to send Expresses to Governor Caswell and the Governor of Virginia, for purposes therein mentioned.

At the same time Received the Resolve of the Commons referred to in the foregoing Message, which being read was Concurred with.

Ordered that the following Message be sent to the House of Commons:

Mr. Speaker & Gentlemen of the House of Commons:

Your Resolve requesting the Speakers of both Houses to send Expresses to Governor Caswell, &c., we herewith return you, Concurred with.

Received from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your Concurrence a Resolve of this House recommending to his Excellency the Governor to remove certain prisoners now in Johnston County.

At the same time received the Resolve of the Commons referred to in the foregoing Message, which being read was concurred with.

Ordered that the following Message be sent to the House of Commons:

Mr. Speaker & Gentlemen of the House of Commons:

We herewith return the Resolve of your House for removing certain prisoners, Concurred with.

Received from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your Concurrence a Resolve of this House recommending to his Excellency the Governor to dispatch a Sum of Money to Brigadier General Lock, for the purposes of beginning the March of the Militia.

At the same time Received the Resolve of the Commons referred to in the foregoing Message, which being read was concurred with.

Ordered that the following Message be sent to the House of Commons:

Mr. Speaker & Gentlemen of the House of Commons:

We herewith return the Resolve of your House recommending to the Governor to send a sum of Money to Brig. Gen. Lock, for the purposes therein mentioned, Concurred with.

Received from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your Concurrence a Resolve of this House appointing Officers to command the light Horse to be raised.

At the same time received the Resolve of the Commons referred to in the foregoing Message, which was read and concurred with.

Ordered that the following Message be sent to the House of Commons:

Mr. Speaker & Gentlemen of the House of Commons:

We herewith return the Resolve of your House appointing Officers to the Command of the Light Horse to be raised, &c., concurred with by this House.

The House adjourned till Monday morning 9 o'clock.

Saturday, 13th February, 1779.

The House met.

Resolved, that Messrs. Coor & Davis examine, correct and prepare for the press the Acts of this Assembly, so far as any Clerical Mistakes may appear therein.

Ordered that the above Resolve, together with the following Message, be sent to the House of Commons:

Mr. Speaker and Gentlemen of the House of Commons:

We herewith send for your Concurrence a Resolve of this House appointing persons to examine & revise the Acts of Assembly.

Received from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your Concurrence a Resolve of this House directing the Commissary of Stores to deliver to John Whitaker a quantity of Ammunition.

At the same time received the Resolve referred to in the above, which being read, Ordered the following Message be sent to the Commons:

Mr. Speaker & Gentlemen of the House of Commons:

You will with this receive the Resolve of your House directing the Commissary of Stores to deliver Ammunition, &c., to Colo. Whitaker, Concurred with.

Received from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your Concurrence a Resolve of this House directing the printers to print certain Acts of the Assembly, and transmit the same to the respective Districts, immediately.

At the same time received the Resolve of the Commons referred to in the foregoing Message.

Endorsed in the Senate 13th February, 1779. Read & Concurred with.

Ordered that the following Message be sent to the House of Commons:

Mr. Speaker & Gentlemen of the House of Commons:

We herewith return the Resolve of your House directing the printers to strike off certain Acts therein mentioned, with which we concur.

Received from the Commons the following Message:

Mr. Speaker and Gentlemen of the Senate:

We herewith return the Resolve of your House appointing Gentlemen to receive & prepare for the press the Acts of Assembly, concurred with.

At the same time received the Resolve of this House referred to in the foregoing Message.

Endorsed in the House of Commons 13th February, 1779, Concurred with.

On motion the Bill for confirming certain Grants of Land in East Granville District, made by Thomas Child, Esquire, agent for said East Granville, after his Departure from Edenton, in North Carolina, and during his Residence in Suffolk, in Virginia, and for other purposes, was read the third time and rejected.

The Business of the Session being Ended,

Resolved, that Mr. Speaker & the Clerk of this House sign the Journals as the Acts of the Senate.

ALLEN JONES, S. C.

By order

SITGREAVES, Ch.

List of Members :

Ephraim McLean.	Willm. Graham.
Griffith Rutherford.	Samuel Johnston.
Elisha Battle.	Jasper Charlton.
James Kenan.	Robert Irwin.
Ambrose Ramsay.	John Childs.
John Hogan.	Samuel Smith.
John Devane,	Benj. Seawell.
Allen Jones.	Edwd. Salter.
Henry Rhodes.	John Faulcon.
Nathan Boddie.	John Rand.
John Gray.	Benj. Exum.
Oroondates Davis.	John Collins.
Memucan Hunt.	Thomas Owen.
Thomas Respass.	Kenneth McKenzie.
Colo. William Thompson.	George Wynns.
Thomas Relfe.	James Sanders.

HOUSE JOURNAL.

STATE OF NORTH CAROLINA,
In the House of Commons. } 1779.

At a General Assembly, begun and held at Halifax in the County of Halifax, on the Nineteenth Day of January, in the Year of our Lord one Thousand Seven Hundred and Seventy Nine, and in the Third year of the Independence of the Said State: Being the Third Session of this Assembly.

Pursuant to an adjournment of the last Session of the General Assembly for Meeting at Halifax on the first Monday in January, Instant, and from thence prorogued by his Excellency the Governor *de die in diem* until the Nineteenth Inst., when the following Members appeared and took their Seats, viz.:

The Honble. Thomas Benbury, Esquire, Speaker:

Messrs. Willie Jones, Egbert Haywood, Jonas Johnston, John Williams, Authur Cotton, E. E. Smithwick, John Duane, John Easton, William Baker, Robert Peebles, George Mitchell, Ben. Hawkins, Thomas Hunter, Ben. Clark, Samuel Cain, Richard Clinton, Nathan Mayo, Nathan Bryan, Jesse Cobb, Jacob Hunter, Isaac Sessums, Thomas Hicks, William Jordan, junr., Simon Turner, Caleb Fifer, Matt. Lock, David Wilson, Moses Winslow, Hardy Sanders, Thomas Harvey, William Courtney, William M. Crawley, William Fereby, William Hooper, William Gilbert, Joseph Hardin, Ben. Cleveland, Elisha Isaacs, Thomas Person, James Williams, Joshua Swain, Abner Nash, Robert Lindsey, Fred. Miller, Peter Farrow, & Joseph Hancock.

The Sheriff of New Hanover County Certified that Mr. Timothy Bloodworth was duly Elected as a Member of the House of Commons for the said County, whereupon the said Mr. Timothy Bloodworth appeared, was qualified and took his Seat.

The Sheriff of Washington County Certified that Mr. Jesse Walton was duly Elected as a Member of the House of Commons, whereupon the said Mr. Jesse Walton appeared, was qualified and took his Seat.

Mr. Thomas Relf, one of the Members for Pasquotank County, appeared, was qualified and took his Seat.

Mr. Joseph Hewes, the Member for the Town of Edenton, appeared, was qualified and took his Seat.

Received from the Senate the following Message:

Mr. Speaker and Gentlemen of the House of Commons:

This House being now formed acquaint you that they are ready to proceed on Business.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen of the Senate:

This House have received the Message of yours informing them that you are ready to proceed on public Business, and in answer thereto, we inform you that this House is also formed & ready to proceed on Business.

Ordered that the following Message be Addressed to his Excellency the Governor, and sent to the Senate for Concurrence:

To his Excellency, Richard Caswell, Esquire, Governor, Captain General, &c.:

Sir: The two Houses of the General Assembly being now formed, acquaint your Excellency that they are ready to take under Consideration the Journal and proceedings of the Council of State, and such Dispatches as you have to lay before them.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your Concurrence a Message Addressed to His Excellency the Governor.

Resolved, that Mr. Courtney, Mr. Hawkins, Mr. Bryan, Mr. Bloodworth, Mr. Hunter and Mr. Wilson, be a Committee of Public Claims. Mr. Lock, Mr. Person, Mr. Whitaker, Mr. Harvey, Mr. Easton and Mr. Mitchell, be a Committee of public Accounts, on the part of this House, to act Jointly with such Gentlemen of the Senate as may be appointed for the purposes aforesaid.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen of the Senate:

This House have appointed Mr. Courtney, Mr. Hawkins, Mr. Bryan, Mr. Bloodworth, Mr. Hunter and Mr. Wilson, as a Com-

mittee of Public Claims. Mr. Lock, Mr. Person, Mr. Whitaker, Mr. Harvey, Mr. Easton, and Mr. Mitchel, as a Committe of Public Accounts, who will act jointly with such Gentlemen of your House as you may think proper to appoint for the purposes aforesaid.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen of the House of Commons:

You will with this receive the Message addressed to His Excellency the Governor, Concurred with by this House.

At the same time received the Message referred to.

Ordered that Mr. James Williams wait on the Public Secretary with the same.

Received from the Senate the following Messages:

Mr. Speaker & Gentlemen of the House of Commons:

This House have received the Message of yours appointing Committees of Accounts and Claims, and have on their part appointed Messrs. Coor, Kenan, and Forster, a Committee of Accounts, and Messrs. Exum, Jones, and Rhodes, a Committee of Public Claims, who will act in Conjunction with the Gentlemen by you appointed for those purposes.

Mr. Jonas Johnston moved for leave and presented a Bill to Regulate and Establish a Militia in this State, which he read in his place and delivered in at the Table, when it was again read, passed and sent to the Senate.

Resolved that Mr. Hooper, Mr. Jones, Mr. Nash, Mr. Johnston, Mr. Hawkins, Mr. Bloodworth and Mr. Hewes, be appointed a Committee to Consider & Report what Bills of a General and Public nature are necessary to be brought in and perfected at this Session; and that the Senate be requested to appoint certain of their Members to Act in Conjunction with the Members of the House appointed for the above purposes.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your Concurrence a Resolve of this House appointing a Committee to act jointly with a Committee of the Senate for purposes therein mentioned.

The Public Secretary laid before the House a Letter from the Governor of Virginia to Governor Caswell, of the 8th Inst., concerning the Reduction of the Chickamogga Settlements, and the same being read was ordered to be referred to a Joint Committee.

Resolved, that Mr. Hawkins, Mr. Jones, Mr. Walton and Mr. Person, be a Committee on the part of this House for the purposes aforesaid.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen of the Senate:

This House have appointed Mr. Hawkins, Mr. Jones, Mr. Walton and Mr. Person, a Committee, on their part, to act jointly with such Gentlemen of the Senate as may be appointed to take under Consideration a Letter from the Governor of Virginia to Governor Caswell, concerning the Reduction of the Chickamogga Settlements, &c., which you will herewith receive for your perusal and Concurrence in the Measure.

Resolved, that a Writ of Election Issue to the County of Beaufort to Elect one Member of this House in the room of Mr. Alderson Ellison, whose seat is vacated by his Acceptance of the Clerk's office for said County. That the said Election be held on Thursday, the 28th Day of this Instant.

Resolved, that the Reverend Charles Couples be appointed Chaplain to the General Assembly.

Ordered that the above Resolve, be sent to the Senate for their Concurrence, together with the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your Concurrence the Resolve of this House for appointing a Chaplain to the General Assembly.

Received from His Excellency the Governor the following Message:

To the Honorable General Assembly:

Gentlemen: Herewith you will be pleased to receive sundry Resolutions of Congress transmitted to me since the Close of the last Session of the General Assembly. Such of them as immediately relate to my department, I took the earliest opportunity of

laying before the Council of State, and in pursuance of their advice have carried them into effect, so far as I was enabled to do.

Of the five Thousand Troops required by Congress to be sent to the aid of South Carolina and Georgia, I am fearful it will be found that not more than about half the number have actually Marched, and those badly Armed; I have therefore ordered on all the drafts remaining in the State who are able to March, and in case any of them are discharged, or are unable to March, have directed others to be drafted in their stead from the Companies to which they belonged so as the whole number advised by the Council to be raised from the Militia, be sent on.

Sundry letters which I have the Honor of laying before you from the Governor of South Carolina and the Commander in Chief on the Southern Expedition, evince the designs of the Enemy in that Quarter, and show the necessity of the General Assembly's early entering upon such Measures as they shall think proper to adopt, respecting the Militia of this State, so far as relates to those ordered into service there, or such as may be judged necessary to reinforce them.

I also lay before you sundry letters from the President of the Congress and the Delegates of this State, for your perusal and information. Those from Mr. Harnett show the necessity of the Accounts of this State against the United States being made up, and with the Vouchers sent to the proper officers for passing them. By the account herewith, you will be informed of the several sums wherewith this State stood Charged, by the United States, the 13th of August, last, amounting in the whole to a very large sum of Money; and will see that we have only a single Credit for a very trifling sum; altho' I flatter myself, that the Ballance would be very small on a proper State of the Accounts. When I reflect that very little attention has hitherto been paid to this very essential matter, and the manner in which the public papers and Accounts are conveyed from one part of the State to another, renders it very doubtful with me if many of the Vouchers are not already lost or so worn out or torn as to render them unintelligible. I therefore presume I shall stand excused in calling up your particular attention to an affair of such Importance, and recommending some mode to be fallen upon, which may answer the purpose

of obtaining an immediate statement of those Accounts, otherwise satisfied I am, that considerable losses will arise to this State.

I have directed the Journal of the Council of State to be laid before you with the papers on which the Resolutions of that Board are formed. Every measure therein recommended have been carried into the fullest effect in my power.

R. CASWELL.

At the same time received the several Resolutions of Congress, Letters from the Governor of South Carolina, The Commmander in Chief on the Southern Expedition, The President of the Congress and the Delegates from this State in Congress, as also the Journal & proceedings of the Council of State.

Ordered that the same lay over until Tomorrow for Consideration.

The House adjourned till tomorrow morning 9 o'clock.

WEDNESDAY, 20th January, 1779.

The House met According to Adjournment.

Mr. William Brown, one of the Members for Beaufort County, and Mr. Hardy Griffin, one of the Members for Nash County, appeared and took their seats.

Read the Petition of Samuel Marshall, Esquire, praying to be admitted as a Free Citizen.

Ordered that the same be referred to a joint Committee.

Read the Petition of Thomas Barker, Esqr., of Edenton, praying to be admitted as a Free Citizen.

Ordered that the same be referred to a Joint Committee.

Ordered that Mr. Jones, Mr. Johnston, Mr. Williams, Mr. Hooper, Mr. Hewes, Mr. Nash and Mr. Clinton, be a Committee on the part of this House to take into consideration the Petitions of Samuel Marshall and Thomas Barker, Esquires.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen of the Senate:

This House have appointed Mr. Jones, Mr. Johnston, Mr. Williams, Mr. Hooper, Mr. Hewes, Mr. Nash and Mr. Clinton, as a

Committee, on their part, to act jointly with such Gentlemen of the Senate as may be appointed to take into Consideration the Petitions of Samuel Marshall and Thomas Barker, Esqrs.

For your further information, we herewith send the said Petitions.

The Honorable the Speaker laid before the House a Letter and sundry other papers relative to John London, paroled to the Town of Wilmington; and the same being read, were ordered to be referred to the Committee appointed to take under Consideration the Petitions of Samuel Marshall and Thomas Barker, Esqrs.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your perusal sundry papers, &c., relative to the Case of John London, paroled to the Town of Wilmington, which we propose referring to the Committee appointed to take under Consideration the Petitions of Samuel Marshall and Thomas Barker, Esquires.

On motion, Mr. John Haywood, Jun., was appointed assistant Clerk, and qualified by taking and subscribing the Oath appointed for the qualification of Public officers.

The order of the Day for taking into Consideration the several Resolutions of Congress, Letters from the Governor of South Carolina, the Commander in Chief on the Southern Expedition, the president of the Congress, and the Delegates from this State in Congress, &c., being called for and read, the House proceeded to take the same under consideration, when they came to the following Resolution thereon, Viz: That the same be referred to the Committee appointed to consider and Report what Bills of a General and public nature are necessary to be brought in and perfected at this Session.

Ordered that the same be sent to the Senate, together with the following Message:

Mr. Speaker and Gentlemen of the Senate:

With this you will receive a Message from His Excellency the Governor, Addressed to the General Assembly, together with the sundry Resolutions of Congress, Letters from the Governor of

South Carolina, and the Commander in Chief on the Southern Expedition, the president of Congress and the Delegates from this State in Congress, and the sundry other papers therein referred to, which we have had under Consideration, and propose referring them to the Committee appointed to Report what Bills of a General and Public nature are necessary to be brought in and perfected this Session.

Ordered that the Journal & proceeding of the Council of State and the Several Papers therein mentioned lie on the Table for Consideration.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen of the House of Commons:

We have received your Message referring sundry Petitions of Messrs. London, Marshall, Barker, &c., to a joint Committee, and cannot concur therewith, but have appointed Colo. Martin, Colo. Thompson, Colo. Rhodes and Mr. Ashe, to act with such Gentlemen as you may think proper to appoint as a Committee to receive and consider of the Petition of Robert Hogg, of the above & of all those Petitions as shall be presented by such Persons praying to be admitted as Citizens of the State during this Session, who are to Report specially on the same.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen of the Senate:

Resolved, that Mr. Hewes, Mr. Jones, and Mr. Johnston, be a Committee to Examine into the quantity of Public Tobacco on hand, and to devise ways and means of paying for a quantity of Cannon Imported in the Ship Holy Jesus ———— Commander.

Resolved, that the officers & men who came into Cape Fear with the English Manifestoes & Proclamations, and now confined in Halifax Gaol, be paroled to the Town of Halifax; and that Brigadier General Jones be requested to receive their paroles as aforesaid.

Ordered that the above Resolve be sent to the Senate for their Concurrence together with the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your Concurrence a Resolve of this House for Paroling the officers and men therein mentioned, &c.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen of the House of Commons:

We herewith return the Resolve of your House appointing a Chaplain to the General Assembly, Concurred with.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen of the House of Commons:

We herewith Return the Resolve of your House for appointing a Committee to prepare and bring in such Bills as are necessary to be passed, and have on our part appointed Col. Martin, Mr. Coor & Mr. Battle, to act with the Gentlemen by you appointed.

At the same time received the Resolve of this House referred to in the above Message, Concurred with.

Received from the Senate the following Messages:

Mr. Speaker & Gentlemen of the House of Commons:

We have received the Message of your House appointing a Committee to take under Consideration a Letter from the Governor of Virginia to Gov'r Caswell, which was Concurred with by this House, who have appointed Messrs. Coor, Roberson & Brown, to act with the Gentlemen appointed by the House of Commons.

Mr. Speaker & Gentlemen of the House of Commons:

This House have received your Message referring sundry Letters & Resolutions from Congress, Letters from South Carolina, &c., to the Committee appointed to prepare & bring in what Bills are necessary, &c., and concur therewith.

The Sheriff of Orange County Certified that Mark Patterson, Esquire, was duly Elected as a Member of the House of Commons for the said County, in the room of Thomas Burke, Esq'r, whereupon the said Mark Patterson, Esquire, appeared, was qualified & took his Seat.

The House met according to Adjournment.

Mr. Johnston moved for leave & presented a Bill to regulate and ascertain the fees of the Clerks of the Superior and County Courts, Justices of the Peace and Attornies in this State, and directing the method of paying the same and other purposes, which he read in his place & Delivered in at the Table where it was again read, passed and sent to the Senate.

Mr. Person, from the joint Committee appointed to take under consideration the Letter from the Governor of Virginia, respecting an aid to be sent to the Frontiers, Reported as follows:

It is the opinion of your Committee that two Hundred men be immediately sent under one Lieutenant Colonel and four Captains to join Colonel Shelby, and that they be furnished from the Militia of Washington County by voluntary inlistment, if they can be so procured, or by a draught agreeable to the Militia Law, that they be furnished with a Commissary, who shall be supply'd with Money to enable him to accommodate the Troops. That he give Bond to the Governor for the faithful performance of his trust. That the officers and Soldiers (should they be successful) treat the Captive women and Children with tenderness & humanity, conducting them safely to some neighborly, Friendly Tribe of the Cherokees, and there supply them with live Stock, and such other provisions as they may think necessary. That they treat the friendly Tribes with the utmost respect, and that they inform them, as soon as the situation of affairs will permit, of their intentions.

The Committee further beg leave to recommend Majr. Charles Roberson to the Command, with the rank of Lieutenant Colonel; and that the Troops be furnished with two Hundred weight of powder.

All which is Humbly submitted to the Consideration of the House.

The House taking the said Report into Consideration, Concurred therewith.

Ordered that the above Report be sent to the Senate for their Concurrence, together with the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your Concurrence the Report of the joint Committee appointed to take under Consideration the Letter from

the Governor of Virginia to Governor Caswell, &c., Concurred with by this House.

Read the Remonstrance of sundry people of Pasquotank County.

Ordered that the same be referred to a joint Committee.

Resolved, that Mr. Nash, Mr. Johnston, Mr. Harvey, Mr. Hawkins, Mr. Jones and Mr. Courtney, be a Committee on the part of this House for the purpose aforesaid.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen of the Senate:

Herewith you will receive the Remonstrance of sundry People of Pasquotank County, which this House propose referring to a Joint Committee of both Houses, and have for that purpose, on their part, appointed Mr. Nash, Mr. Johnston, Mr. Harvey, Mr. Hawkins, Mr. Jones and Mr. Courtney, a Committee.

Read the petition of sundry of the people of Hertford, Chowan and Perquimans Counties, praying to have a new County erected by taking part of each of the said Counties.

Mr. Baker moved for leave and presented a Bill agreeable to the prayer of the said petitioners, which he read in his place and delivered in at the Table where it was again read, passed and sent to the Senate.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen of the House of Commons:

Herewith you will receive the Report of the Committees appointed to Consider of the Governor of Virginia's Letter to Governor Caswell, concurred with.

At the same time received the Report referred to in the above Message, Concurred with.

Ordered that the Committee to whom the Consideration of the said Letter was referred be a Committee to prepare and draw up an answer to the same.

The Bill for dividing Bute County into two distinct Counties by the names of ----------, was read the first time, passed and sent to the Senate.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen of the House of Commons:

We herewith return the Resolves of your House for parolling certain persons therein mentioned, Concurred with.

The House adjourned till To-morrow morning 9 o'clock.

THURSDAY, 21st January, 1779.

The House met according to Adjournment.

The Sheriff of Pitt County certifies that James Gorham, Esqr., was duly Elected as a Member of the House of Commons for the said County, in the room of John Simpson, Esquire, whereupon the said James Gorham, Esquire, appeared, was qualified and took his Seat.

Mr. John Williams, one of the Members for the County of Caswell; Mr. George Davidson, one of the Members for Anson County, and Mr. Stephen Hiller, one of the Members for Anson County, appeared and took their Seats.

Read the address and petition of the people called Quakers.

Ordered that the same be referred to a joint Committee.

Resolved that Mr. Person, Mr. Johnston, Mr. Lock, Mr. Harvey, Mr. Courtney and Mr. John Williams (Caswell), be a Committee on the part of this House for the purpose aforesaid.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen of the Senate:

We have appointed Mr. Pearson, Mr. Johnston, Mr. Lock, Mr. Harvey, Mr. Courtney and Mr. John Williams (Caswell), as a Committee on our part, who will Act Jointly with such Gentlemen of your House as may be appointed, to take under Consideration the Address and Petition of the People called Quakers.

Mr. Willie Jones informed the House that Mr. William Alston, who was cited by the last to attend on the present Session of General Assembly respecting certain Accounts allowed William Gilbert, &c., &c., by the public, was attending on the said Assembly to have them examined.

Ordered that Mr. Lock, Mr. Person, Mr. Johnston and Mr. Hawkins, be a Committee on the part of this House, to Act jointly with such Gentleman of the Senate as may be appointed, to Examine the said Accounts.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen of the Senate:

The House have appointed Mr. Lock, Mr. Person, Mr. Johnston and Mr. Hawkins, a Committee on their part, to Act jointly with such Gentlemen of the Senate as may be appointed, to examine the Accounts of William Gilbert, late Commissary of Tryon County, &c.

Mr. Johnston moved for leave and presented a Bill to inforce the attendance of the Voters at elections of Members of the General Assembly, and other purposes; which he read in his place and delivered in at the Table, where it was again read, passed and sent to the Senate.

Mr. Johnston moved for leave and presented a Bill to further ascertain the Duties of the Different Surveyers in this State, and other purposes; which he read in his place and delivered in at the Table where it was again read, passed and sent to the Senate.

Read the petition of Pres. Chapman, praying to be allowed for a Certain sum of Money consumed by fire. The proof not being sufficient, the petition was rejected.

Read the petition of Elizabeth Egerton, Wilmot Egerton, and Elizabeth Egerton, jun., praying, &c.

Ordered that the same be rejected.

Read the petition of Thomas Hooper, Esqr., praying to be admitted as a Citizen, &c.

Ordered that the same be referred to the Committee appointed to receive and Consider all such Petitions, &c.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen of the Senate:

In answer to a former Message of yours, relative to appointing a Committee to receive and consider the Petitions of Robert Hogg, Samuel Marshall, & Thomas Barker, Esquires, and all other petitions, &c., from persons praying to be admitted as Citi-

zens, we acquainted you that we had on our part referred them to the Committee appointed to examine, &c., and Report what Bills, &c., are necessary to be brought in & perfected this Session, which was owing to a misapprehension of the Clerk. The sense of the House was, that the Committee, which they had appointed to consider the Petitions of Samual Marshall and Thomas Barker, Esquires, should be a standing Committee on our part, &c., for the purposes aforesaid.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen of the House of Commons:

The Resolve of your House appointing Commissioners to purchase provisions, &c., you will, with this, receive, Concurred with.

At the same time received the Resolve of this House referred to in the above Message, Concurred with.

Received from the Senate the following Messages:

Mr. Speaker & Gentlemen of the House of Commons:

We have received your Message appointing a Committee to take under Consideration the Remonstrance from Pasquotank County, with which we Concur, and have appointed Mr. Stone, Mr. Harvey and Mr. Sumner, a Committee, who will act with the Gentlemen by you appointed for that purpose.

Mr. Speaker & Gentlemen of the House of Commons:

We have received your Message appointing a Committee to examine the Accounts of William Gilbert, late Commissary of Tryon County, &c., with which we concur, and have, for that purpose on our part appointed Messrs. Stone, Coor, Rogers and Owen, a Committee.

Resolved, that Mr. Hooper, Mr. Nash and Mr. Hewes, be a Committee, on the part of this House, to Act jointly with a Committee of the Senate, to prepare and Draw up an answer to the Manifesto & Proclamations issued by his Britanick Majesty's Commissioners.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen of the Senate:

This House have appointed Mr. Hooper, Mr. Nash & Mr. Hewes, a Committee, on their part, to Act jointly with a Committee of the Senate for the purpose of preparing & Drawing up an answer to the Manifesto & Proclamation issued by his Britanick Majesty's Commissioners.

Resolved, that Mr. Hewes, Mr. Nash, Mr. Jones and Mr. Hawkins, be a Committee, on the part of this House, to Act jointly with such Gentlemen of the Senate as may be appointed, to devise ways and means to supply this State with Arms and Ammunition with the greatest expedition & economy possible.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen of the Senate:

This House have appointed Mr. Hewes, Mr. Nash, Mr. Jones and Mr. Hawkins, a Committee, on their part, to act Jointly with a Committee of the Senate, to devise ways and means to supply this State with Arms and Ammunition with the greatest expedition.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen of the House of Commons:

This House have received your Message referring the petition of the Quakers to a Joint Committee, and concurred therewith, and have for that purpose appointed Mr. Reniker, Colo. Martin and Mr. Frazier, to Act with the Gentlemen by you appointed.

We also send you a petition from the United Brethren alias Moravians, which we propose referring to the same Committee.

At the same time received the petition referred to in the above Message, which being read was ordered to be referred to the same Committee on the part of this House.

Resolved, that Mr. Nash, Mr. Hooper and Mr. Locke, be a Committee, on the part of this House, to act jointly with a Committee of the Senate, to inquire and make Report on the Conduct of Mr. Charles Bonfield, who was cited by the last to attend on the present Session of Assembly, relative to selling the Brigantine the Pennsylvania Farmer.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen of the Senate:

This House have appointed Mr. Nash, Mr. Hooper and Mr. Locke, a Committee, on their part, to Act jointly with a Committee of the Senate, to inquire into the Conduct of Mr. Charles Bonfield relative to selling the Pennsylvania Farmer, and Charging Mr. Hewes with being the Purchaser.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen of the House of Commons:

We herewith send for your Concurrence a Resolve of this House for transporting Ammunition for the use of the Troops ordered against the Indians.

Mr. Speaker & Gentlemen of the House of Commons:

You will herewith receive for your Concurrence a Resolve of this House appointing Mr. Jesse Walton Commissary to the Troops under the Command of Colo. Robertson on the Indian Expedition.

At the same time received the Resolves referred to in the above Message, and the same being read were concurred with.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen of the Senate:

We herewith return the resolve of your House appointing a Commissary to the Troops ordered on the Indian Expedition, also the Resolve for transmitting Ammunition for the Troops on the same service, Concurred with by the House.

The House Adjourned till 4 O'clock P. M.

The House met according to Adjournment.

The Sheriff of Camden County Certified that Willis Bright & William Burgess, Esqrs., were duly Elected as Members of the House of Commons for the said County, whereupon, Willis Bright, Esqr., appeared, was qualified and took his Seat.

The House adjourned till Tomorrow Morning 9 o'clock.

FRIDAY, 22nd January, 1779.

The House met according to Adjournment.

Read the Petition of John Burgess, late of Wilmington, Merchant.

Ordered that the same be referred to the Committee appointed to receive and Consider the petitions of all Persons praying to be admitted as Citizens, &c.

Mr. Nash presented a Petition from a number of the Inhabitants of Craven County, praying for a division thereof.

Mr. Nash moved for leave and presented a Bill agreeable to the prayer of the said Petition, which he read in his place and delivered in at the Table where it was again read, passed & sent to the Senate.

Received from the Senate the following Messages:

Mr. Speaker & Gentlemen of the House of Commons:

We have received your Message appointing a Committee to inquire into the Conduct of Charles Bonfield relative to selling the Pennsylvania Farmer, and concur therewith, and have on our part chosen Mr. Martin and Mr. Stone, to act in Conjunction with the Gentlemen by you appointed.

Mr. Speaker & Gentlemen of the House of Commons:

We have received your Message appointing a Committee to devise ways and means to supply this State with Arms & Ammunition, &c., and concur therewith, and have for that purpose chosen Messrs. Salter, Davis & McKenzie, to act with the Gentlemen by you appointed.

Mr. Jones presented a Petition from a number of the Inhabitants of Halifax County, praying to have certain Grants of Lands in Earl Granville's District, made by Thomas Child, Esqr., agent for said Earl, Confirmed, &c.

Mr. Jones moved for leave and presented a Bill agreeable to the prayer of the said Petition, which he read in his place and Delivered in at the Table where it was again read, passed and sent to the Senate.

Mr. Whitaker presented a Petition from a number of the Inhabitants of Halifax County, praying to have part of the said County added to the County of Edgecomb.

Mr. Whitaker moved for leave and presented a Bill agreeable to the prayer of the said Petition, which he read in his place and delivered in at the Table where it was again read, passed and sent to the Senate.

Resolved, that Mr. Miller, Mr. Hardin, Mr. Johnston, Mr. Cleveland and Mr. John Williams (Caswell), be a Committee to consider and Report what sum shall be allowed the Commissary on the Indian Expedition, for Rations, &c.

Resolved, that Commissioners be appointed in the several Districts of this State to purchase provisions for the Army, and that they procure as many hogs as can be had, and Salt and Barrel the same, they having due regard to the quality of such Pork, and that they be authorized to buy up as much Salt as may be necessary for this purpose.

Resolved, that the same Commissioners be also empowered to purchase for the use of the Army as much Pork, already barreled, as can be had; also as much Bacon & Barrel'd Beef; that they cautiously attend to the quality of such Pork, Beef & Bacon, and that they also purchase Corn, Flour, Pease & Rice, and that the said Commissioners respectively shall collect such Provisions, so purchased by them, to some Convenient place in their district, and make a return of the same to the Governor, or Commander in Chief, of the Quantity so collected, and shall also lay before the next General Assembly a return of the same with an account of the Expenses & charges arising thereon.

Resolved, that such of the Commissioners as purchase fresh Pork shall use their utmost endeavours to get the same Salted and put up in good Barrels at as little expense as possible and, that they apply the Fat towards such Expense.

Resolved, that the Treasurers of this State advance to each of the said Commissioners the sum of Ten Thousand pounds and that His Excellency the Governor be requested, in case that any of the Commissioners hereby appointed should apply to him for a further supply of money to purchase provisions agreeable to this Resolve, to issue his warrant on the Treasury for a further sum, or to dismiss and discharge such Commissioners as he may Judge necessary.

Resolved, that each of the said Commissioners shall give Bond with sufficient Security for the faithful application of such monies

as shall come to his hands, which Bond the Treasurer is required to take, made payable to the Governor or Commander in Chief.

Resolved, that each of the said Commissioners shall be allowed for his own trouble in purchasing & Collecting Provisions for the purpose aforesaid, that is to say for every Barrel of Pork that he shall make up out of fresh Pork purchased by him, Four Dollars; for every Barrel of Pork and Beef that he shall purchase already Barrelled, three Dollars, and a Commission of Five per Cent. on such sums as he may lay out in the purchaseof Bacon, Corn, Pease, Flour & Rice.

Resolved, that Mr. William Bennett, for the District of Edenton; Mr. Hardy Bryan, for the District of New Bern; Mr. James Bloodworth, for the District of Wilmington; Mr. Joseph Dixon, for the District of Salisbury; Mr. Nathaniel Rochester, for the District of Hillsborough, and Mr. William Wooten, for the District of Halifax, be and they are hereby appointed Commissioners for the purposes aforesaid.

Ordered that the above Resolve be sent the Senate for their Concurrence, together with the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your Concurrence a Resolve of this House appointing Commissioners in the different Districts of this State for purchasing the Provisions therein mentioned and allowing them the sums therein Mentioned for such services.

We propose that a former Resolve of this House, and Concurred with by the Senate for this purpose should be expunged from the Journal of both Houses, as the substance of that is included in the one herewith sent you.

Resolved, that this House will, on Monday next, proceed to the appointment of Auditors to settle and adjust the Public Accounts of this State.

Resolved, that His Excellency the Governor be directed to raise and imbody Two Hundred and Fifty foot Soldiers & Twenty-five Horse men, with all possible expedition; Which force, when raised, shall be ordered into the County of Cumberland, there to seize and apprehend all such persons as shall be known to be disaffected to the American Cause and believed to be Ringleaders

amongst the people called Highlanders, and that they also disarm all persons in the Counties of Cumberland, Anson, Guilford, Tryon and elsewhere from whom any injury is to be apprehended to the American Cause from thus being suffered to continue possessed of their Arms.

That the Troops so to be raised shall have the faith of this Government pledged to them that they shall not during this Enlistment be marched out of this State.

That the Governor shall use his endeavours that the Troops so to be raised shall be composed of volunteers who shall receive a bounty of one Hundred Dollars upon Enlistment, and that they shall continue on service for the term of one Year, unless sooner discharged.

That the Troops so raised shall Compose five Companies, and shall be officered as follows, Viz.: With one Lieutenant Colonel, one Major, Five Captains, five Lieutenants, five Ensigns and Thirty non-Commissioned officers; each Company with its due proportion; and that the Light Horse shall be officered with one Captain, one Lieutenant and one Cornet. That in case a sufficient number of volunteers cannot be raised for this purpose, that the Governor be empowered by Draughts in manner as by Law directed to compleat the same from such Counties as he shall think proper.

That the Troops so to be raised shall receive the same pay & Rations which the Militia are entitled to when Drawn into actual Service.

That the Governor & Council be empowered to appoint the Commissary & all officers necessary for this Armament.

That the Governor take the most effectual measures to Arm the said Troops, and give a preference to such as can find their own Arms in making Enlistments.

That he purchase Horses for the use of the light Horse and other necessary Accoutrements.

That a Copy of this Resolve be immediately transmitted to the Governor, and that, with respect to the Destination of the said Troops and their intended use, as much Secrecy be observed as the nature of the service will admit of.

That the Governor be empowered to draw upon the Treasury

for such sums of Money as shall be necessary to carry this Resolution into effect.

Ordered that the above Resolve be sent to the Senate for their Concurrence, together with the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your Concurrence a Resolve of this House for Raising Men to be stationed in Cumberland County, &c., &c.

The House Adjourned till To-morrow Morning 9 o'clock.

Saturday, 23d January, 1779.

The House met according to Adjournment.

Mr. Richard Cogdell, the Member for the Town of New Bern, & Mr. Solomon Shepperd, one of the Members for Carteret County, appeared and took their Seats.

Mr. Davidson presented a Petition from the Honbl. Samuel Spencer, Esqr., one of the Judges of the Superior Courts, praying to have a Certain Tract of Land confirmed to him by Act of Assembly.

Mr. Davidson moved for leave and presented a Bill agreeable to the prayer of the said Petition, which he read in his place & delivered in at the Table, where it was again read, passed and sent to the Senate.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen of the House of Commons:

We have received a Message from your House proposing to expunge from the Journals a former Resolve of this Assembly appointing Commissioners to purchase provisions & to adopt another in lieu thereof, which we will concur with provided you approve of the Amendments we have made therein.

At the same time received the Resolve of this House referred to in the above Message, Concurred with, with the proposed amendment.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen of the Senate:

We have received the Message of your House proposing an amendment in a former Resolve of this House, with which we concur & have made the same conformable thereto.

The Honbl. the Speaker laid before the House a Letter from the Honbl. Samuel Spencer, Esqr., one of the judges of the Superior Courts, and the same being read was ordered to be referred to a joint Committee.

Resolved, that Mr. Hawkins, Mr. Williams (Caswell), Mr. Courtney and Mr. Person, be a Committee, on the part of this House, for the purpose afore said.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen of the Senate:

We herewith send you a Letter from the Honbl. Samuel Spencer, Esqr., Judge, &c., the consideration of which we propose referring to a joint Committee, and have for that purpose on our part appointed Mr. Hawkins, Mr. John Williams, Mr. Courtney & Mr. Person, a Committee.

Read the Petition of Waightstill Avery, Esqr., Attorney General, &c.

Ordered that the same be referred to the Committee appointed to take under Consideration the Letter from the Honbl. Judge Spencer.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen of the Senate:

We herewith send you the Petition of Waightstill Avery, Esqr., Attorney General, which we propose referring to the Committee appointed to take under consideration the Letter from the Honbl. Judge Spencer.

Mr. Bloodworth moved for leave & presented a Bill for raising Forces for the Defence of this State, which he read in his Place & Delivered in at the Table, where it was read again, passed and sent to the Senate.

Mr. Johnston moved that a Committee be appointed to amend the Bill for regulating and Establishing a Militia in this State.

Resolved, that Mr. Lock, Mr. Johnston, Mr. Courtney, Mr. Bloodworth, Mr. Relf and Mr. Cogdell, be a Committee for the purposes aforesaid.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen of the House of Commons:

We herewith return the Resolve of your House for raising men to March to Cumberland, &c., concurred with by this House, with the amendment of the words "compelled to" in the first page, Concurred with.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen of the Senate:

This House concur with yours in the proposed amendment to the Resolve for raising Men, &c.

Resolved, that the Commissary of Stores, be and he is hereby impowered to remove the public Powder, &c., from the House that they are at present deposited, into some other convenient place in the Town of Halifax.

Ordered that the above Resolve be sent to the Senate for their Concurrence, together with the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your Concurrence a Resolve of this House impowering the Commissary of Stores to remove the Public Powder, &c.

The Bill for Erecting a Court House, prison & stocks, in Brunswick county, and other purposes, was read the first time, passed and sent to the Senate.

Read the Petition of Jacob Pope, a Prisoner on parole, praying to be admitted as a Citizen.

Resolved, that the said Jacob Pope be admitted as a Citizen of this State, on his taking the Oath of Allegiance to the same.

Ordered that the above Resolve be sent to the Senate for their Concurrence, together with the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your Concurrence a Resolve of this House for admitting Jacob Pope to the Privileges of a Citizen, &c.

The Bill for annexing part of Halifax County to Edgecombe, and other purposes, was read the second time, amended, passed and sent to the Senate.

The Bill for confirming certain Grants of Land in Earl Granville's District, made by Thomas Child, Esqr., Agent for said Earl Granville, after his departure from Edenton in North Carolina, and during his residence in Suffolk, in Virginia, was read the second time, passed and sent to the Senate.

Mr. Person, from the Committee appointed to consider of the Petition of the People called Moravians and Quakers, Reported as follows:

That it is the opinion of the Committee that as the end of all Government is to make every Member of the community equally happy, and as in a State settled by people of different Religions, this equality of political happiness is inseparable from an indulgence to those whose religious opinions make them object to the usual form of promises of Fidelity to the State; That the people called Moravians and Quakers should be permitted to take the following affirmation to wit:

I, A. B., do solemnly and sincerely declare and affirm in the presence of Almighty God, that I will truly and faithfully demean myself as a peaceable subject of the Independent State of North Carolina, and will be subject to the powers and Authorities, that are or may be established for the good Government thereof, by yielding either an active or passive obedience thereto, and that I will not abet or join the Subjects or Forces of the King of Great Britain, or others, the Enemies of this State, by any means, in any conspiracy whatsoever against the said State or the United States of America, and that I will make known to the Governor or some member of the Council of State, Judge of the Superior Court, or justice of the peace, all Treasons, conspiracies or attempts committed or intended against the same, which shall come to my knowledge.

And your Committee are further of the opinion, that an Act of the General Assembly of this State ought to be made for the above purposes.

All of which is Humbly submitted to the House.

The House taking the said Report into Consideration, Concurred therewith.

Ordered that the above Report be sent to the Senate for their Concurrence, together with the following Message :

Mr. Speaker & Gentlemen of the Senate :

We herewith send for your Concurrence the Report of the Committee appointed to consider the Petitions of the people called Moravians & Quakers, Concurred with by this House.

Resolved, the Bill to further ascertain the duties of the different Surveyors in this State and other purposes be committed to a Committee of the whole House on Tuesday next.

Received from the Senate the following Message :

Mr. Speaker & Gentlemen of the House of Commons :

We have received your Message referring the Letter from the Honbl. Samuel Spencer, and the Petition of Waightstill Avery, Esquire, to a joint Committee, with which we concur, and have for that purpose appointed Messrs. Davis, Martin & Rogers, a Committee.

We also propose referring to said Committee the Consideration of the allowance of the Governor, Secretary, Delegates in Congress, and other public officers of this State.

Ordered that the following Message be sent to the Senate :

Mr. Speaker & Gentlemen of the Senate :

This House concur with you in referring to the Committee appointed to take into consideration the Letter from the Honbl. Samuel Spencer, &c., the Consideration of the allowance of the Governor, Secretary & Delegates in Congress, & other public officers of this State.

Received from the Senate the following Message :

Mr. Speaker & Gentlemen of the House of Commons:

You will herewith receive the Resolve of your House impowering the Commissary of Stores to remove the public powder, &c., to some convenient House in this Town, Concurred with.

At the same time received the Resolve of this House referred to in the above Message, Concurred with.

Mr. Jones, from the Joint Committee of both Houses, appointed to receive & consider the Petitions of all such persons as shall pray to be admitted as Citizens in this State, Reported as follows:

That having duly considered the Petition of Thomas Barker, Esqr., a native of America, and formerly a resident in this State, find that the facts mentioned in the said Petition are true, who from his known zeal and Assiduity in representing our affairs at the several public Boards in England, as our agent at that critical time referred to in the said Petition, and from his firm attachment to the Cause of America during her late struggles to this time, claims our particular Regard.

We therefore, unanimously recommend him to be received again into the Bosom of his Country by admitting him a Citizen thereof and restoring to him his property.

That having with due attention considered the petition of Mr. Robert Hogg, late Merchant in Wilmington, find the Contents of the same True, and from the Examination of a number of Gentlemen of undoubted veracity, for the urgent reasons mentioned in his said Petition, and that he left those instructions to his Factors and Agents to appropriate one-half of his property, if they found the same necessary, in the Defence of the American Cause, as we have still no reasons to doubt of his attachment to the Interest of the United States from such a Declaration, and of his ready obedience at present to the Laws of this Country, we therefore recommend him unanimously to be admitted a Citizen of this State and restored to his property.

That with equal attention paid to the Petition and Case of John Burgwin, Esq., late of Wilmington, Merchant, we find the facts referred to in the same to be true. That the Fracture of his leg, which he received the 8th of January, 1775, was of the most dangerous kind; that he languished in this situation Five Months

without any appearance of Cure, and at last by a surgeon of the first Eminence in that place was advised to change this Climate as soon as possible for that of England, otherwise his life would be in danger, that by the use of the Bath Waters and other remedies in that Country his Leg is restored in some measure to its Strength, that upon hearing of the Confiscation Act, Notwithstanding his then infirm State of Health he embarked for New York, where he arrived and received passport from Congress to return to this State. The many public services that Gentleman formerly rendered this Country and his ready compliance at present with its Laws, gives us no room to doubt of his attachment to its interest. We therefore unanimously recommend him to be received a Citizen of this State, and that his property be restored to him.

That next taking under Consideration the petition of Mr. Thomas Hooper, a native of America, late Merchant in Wilmington, we find the case of that Gentleman scarce within the province of the Confiscation Act, as his residence in England was of short duration, and which he immediately changed for France, this together with the ample Testimonials of the American Commissioners at Paris, in his favour, added to his former attachment to this Country, thro' affection as well as principle, induce us unanimously to recommend him, if by any Construction of the Law he has lost any Priviledges, to be admitted a full Citizen of this State and restored to his property.

That next considering the petition of Mr. Samuel Marshall, we find that his attendance in England at the time referred to in the same was necessary and of real Consequence to himself, being an Heir to an Estate, that required his immediate presence in that Kingdom, to obtain a Recovery. His prior attachment to this Country, together with his ready compliance with its Laws, are reasons for which we unanimously recommend him to be admitted a Citizen of this State, and that his property be restored to him.

That next attending to the Petition of John London, Esquire, late Clerk of New Hanover County, and examing the contents thereof, we find them true; that his affairs called him to England at the time mentioned in the said Petition, that he obtained leave of absence from the County Court for that purpose, that having settled the same he has returned and now prays to be admitted a

Citizen; as that Gentleman discharged the duties of the several offices he formerly held in this State with Integrity & reputation, and as we have heard of no unfriendly act or intention from him, we Unanimously recommend him to be admitted a Citizen of this State, and that his property be restored.

That last attending to the memorial of William Peele, in favour of his Father Doctr. Samuel Peele, of Northampton County, it appears that the said Samuel Peele departed from this State for England some time in the Year 1775, with a view to dispose of a small landed Estate & purchase Medicines; that the said Samuel Peele having transacted his business in England, went over to France and sailed from thence for the United States, previous to the passing of the Confiscation Act, was taken prisoner & carried to England. That after many difficulties he obtained his liberty, sailed for New York & from thence obtained a Flag to proceed to General Washington, by whose permission be returned to North Carolina. It appears further to your Committee that the said Doct. Samuel Peele, and every Branch of the Family, have constantly been and still are warm friends to the United States, we therefore unanimously recommend him to be admitted a Citizen of this State, and that his property be restored.

ALEX. MARTIN, Ch.

The House taking the said Report into consideration, Concurred therewith.

Ordered that the above Resolve be sent to the Senate for their Concurrence, together with the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your Concurrence the Report of the joint Committee appointed to receive and consider the Petitions of all persons praying to be admitted as Citizens, Unanimously Concurred with by this House.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen of the House of Commons:

We have received your Message with the Report of the Committee appointed to consider the petitions of the Moravians and Quakers & concur therewith, with the amendments we have made

in the Oath to be taken by such people, and further propose that the Mennonist and Dunkers should be included within the meaning and purview of the said Report.

At the same time received the Report referred to in the above Message, and the House taking into Consideration the amendments proposed by the Senate.

Resolved, that they do accede thereto.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen of the Senate:

This House have received the Message of yours proposing amendments in the Report of the Committee appointed to consider the Petitions of the Moravians and Quakers and have acceded thereto, and made the Report Conformable.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen of the House of Commons:

This House have appointed the Honbl. the Speaker & Col. Martin, to act with Gentlemen by you to be appointed, for the purpose of preparing the thanks of this State to the Honorable Cornelius Harnett, Esquire, one of the Delegates for this State in the Continental Congress, for his faithful and important service rendered this State in the Execution of that office.

Resolved, that Mr. Hooper and Mr. Jones, be a Committee on the part of this House for the purpose aforesaid.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen of the Senate:

We have received the messages of your House appointing certain Gentlemen therein mentioned to prepare the thanks of the State to be given the Honorable Cornelius Harnett, Esqr., one of the Delegates from this State in Congress, and we have for that purpose, on our part, appointed Mr. Hooper and Mr. Jones, to Act jointly with the Gentlemen by you appointed for that purpose. We think that the Honbl. John Penn and John Williams, Esqrs., justly merit the thanks of the State for the great services they have rendered as Delegates in Congress and propose that the thanks of the State shall also be given them thro' the Assembly.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen of the House of Commons:

You will with this receive the Resolve of your House admitting Jacob Pope a Citizen of this State, Concurred with.

At the same time received the Resolve of this House referred to in the above Message, Concurred with.

Read the petition of Thomas Britten, of Edenton, praying to be admitted a Citizen of this State.

Resolved, that the said Thomas Britten be admitted a Cittizen of the State.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your Concurrence a Resolve of this House admitting Thomas Britten a Citizen of this State.

Read the Petition of Henry Hinson, Master of the Sloop Mary, praying permission to load out with provisions.

Resolved, that Henry Hinson, Master of the Sloop Mary, bound for the Island of Bermuda, be permitted to load out with Provisions.

Ordered that the above Resolve be sent to the Senate for their Concurrence, together with the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your Concurrence a Resolve of this House permiting Henry Hinson, Master of the Sloop Mary, bound for the Island of Bermuda, to load out with provisions.

The House Adjourned til Monday Morning 9 o'Clock.

Monday, 25th January, 1779.

The House met according to Adjournment.

Mr. Cogdell moved for leave and presented a Bill for regulating the Town of New Bern and other purposes therein mentioned, which he read in his place and delivered in at the Table where it was again read, passed and sent to the Senate.

The Bill to enforce the attendance of the Voters at Election of members of the General Assembly and other purposes was read the second time and rejected.

Read the Report of the Committee appointed to consider what the Commissary on the Indian Expedition should be allowed for Rations, and the same was rejected.

Whereas, Mr. Jesse Walton refuses to act as Commissary to the Troops on the Indian Expedition agreeable to his appointment, therefore,

Resolved, that Mr. Jesse Walton be appointed Contractor for the Troops on the Indian Expedition. That the said Contractor be allowed one Hundred and Twenty Dollars per month for his Trouble, to commence from the Day of his appointment.

Ordered that the above Resolve be sent to the Senate for their Concurrence, together with the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your Concurrence a Resolve of this House appointing a Contractor for the Troops on the Indian Expedition, &c.

Mr. James Williams moved for leave and presented a Bill to amend an Act entitled an Act to amend the Staple of Tobacco and prevent frauds, passed at New Bern 15 November, 1775, which he read in his place & delivered in at the Table where it was again read, passed and sent to the Senate.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen of the House of Commons:

You will with this receive a Resolve of this House for making valid all receipts for Monies advanced by Entry Takers and Sheriffs for the purpose of raising volunteers of the Militia in the present Expedition to the Southward.

At the same time received the Resolve of the Senate referred to in the above Message, and the same being read was concurred with.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen of the Senate:

We herewith return the Resolve of your House for making

valid all receipts for Monies advanced by Entry Takers and Sher ffs for the purpose of raising volunteers of the Militia in the present Expedition to the Southward, Concurred with.

The Bill for dividing Hertford County and other purposes, was read the second time, amended, passed and sent to the Senate.

Mr. Benjamin Spruill, one of the Members for Tyrrel County, appeared and took his Seat.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen of the House of Commons:

This House have received your Message, with the report of the Committee appointed to receive and consider the petition of all persons praying to be admitted Citizens of this State, which we herewith return you concurred with.

At the same time received the Report referred to in the above Message, Concurred with.

The Bill for annexing part of Burke County to the County of Tryon, and for other purposes, was read the first time, passed and sent to the Senate.

The order of the Day for appointing Auditors to settle and adjust the public accounts of this State being called for and read,

Resolved, that the House Resolve itself into a Committee of the whole to take the same into consideration.

The House Resolved itself into a Committee of the whole accordingly, and chose Mr. John Williams, Chairman, and after some time spent therein Mr. Speaker resumed the Chair and Mr. Chairman Reported as follows:

That it is the opinion of the Committee that two Commissioners be appointed to consider, distinguish and adjust the State of our public accounts, as well those which have arisen between the public of this State and its own Subjects as those betwixt this and the several and respective States of the Union, and betwixt this State and the Continental Congress as the representatives of the Continent at Large. Such Commissioners to be considered as not having any right to interfere with the authorities assumed and exercised by the Committees of Claims on accounts appointed by subsequent Assemblies.

That the said Commissioners be allowed Two Thousand five Hundred pounds each for Compleating the public Accounts as

aforesaid, to include all Accounts which shall be settled and allowed to the Conclusion of the first Session of the next Assembly.

The House taking the said Report into Consideration, Concurred therewith.

The House adjourned til Tomorrow Morning 9 o'clock.

TUESDAY, 26th January, 1779.

The House met According to Adjournment.

The order of the day for Committing the Bill "to further ascertain the duties of the different Surveyors in this State and other purposes," to a Committee of the whole House, being called for and read,

Resolved, that the House Resolve itself into a Committee of the whole to take the same into consideration.

The House Resolved itself itself into a Committee of the whole accordingly, and chose Richard Cogdell, Esquire, Chairman, and after some time spent therein Mr. Speaker resumed the Chair and Mr. Chairman Reported as follows:

That the Committee have had under Consideration the matter referred to them, and are of opinion that the Bill ought to be rejected.

The House taking the said Report into consideration, Concurred therewith.

Then, on motion, the said Bill was read the second time and Rejected,

Resolved, that Mr. Lock, Mr. Person, Mr. Nash, Mr. Johnston and Mr. Jones, be a Committee to examine and Report what amendments are necessary to be made in the Land Office Bill, &c., and recommend such alterations as they shall deem necessary.

Mr. John Williams (Caswell), presented a Petition from a number of the Inhabitants of Guilford County, praying a division thereof.

Mr. Williams moved for leave and presented a Bill agreeable to the prayer of the said Petition, which he read in his place and delivered in at the Table where it was again read, passsed and sent to the Senate.

The Bill for dividing Craven County into two Distinct Counties, and for other purposes therein mentioned, was read the second time, amended, passed and sent to the Senate.

Resolved, that Mr. Winslow, Mr. John Williams (Caswell), Mr. Cogdell, Mr. Baker and Mr. Johnston, be a Committee of Claims to settle and allow Accounts separate and Apart from the former Committee appointed by this House for that purpose.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen of the Senate:

This House being informed that it is necessary, from the multiplicity of business before the Committee of Claims, to appoint another Committee of Claims to settle and allow accounts separate and apart from the other, have appointed Mr. Winslow, Mr. John Williams (Caswell), Mr. Clinton, Mr. Cogdell, Mr. Baker and Mr. Johnston, to act jointly with such Gentlemen as you may appoint for the purpose aforesaid.

Resolved, that Mr. Benjamin Clarke, of Bladen County, be allowed the sum of Eighty pounds for a Fellow named Jim which was executed at Wilmington for stealing. That the Treasurers, or either of them, pay him the same and be allowed.

Ordered that the above Resolve be sent to the Senate for their Concurrence, together with the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your Concurrence the Resolve of this House allowing Mr. Benjamin Clarke a certain sum therein mentioned.

The Bill for ascertaining what property in this State shall be deemed Taxable property, the method of Assessing the same and collecting the public taxes, and other purposes, was read the first time, passed and sent to the Senate.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen of the House of Commons:

This House being informed that several persons in the different parts of this State have in their possession public Cloathing,

have sent you a Resolve, for your Concurrence, relative to the same.

At the same time received the Resolve of the Senate referred to in the above Message, and the same being read was Concurred with.

Ordered that the following Message be sent to the Senate:

Mr. Speaker and Gentlemen of the Senate:

We herewith return the Resolve of your House relative to public Cloathing, in the Hands of sundry people in different parts of the State, concurred with.

The House adjourned till tomorrow Morning 9 o'clock.

Wednesday, 26th January, 1779.

The House met according to adjournment.

Mr. Winslow moved for leave and presented a Bill for the ease and convenience of the Militia in the west end of Rowan County, which he read in his place and Delivered in at the Table, where it was again read, passed and sent to the Senate.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen of the House of Commons:

This House have received your Message appointing another Committee of Claims, and concur therewith, for which purpose we have appointed Messrs. Shepperd, Rogers, Frazier, Birdsong and Brown, to Act with the Gentlemen by you appointed.

Mr. Nash, from the Committee appointed to take under consideration the Petition of the people of Pasquotank, relative to the Slaves liberated by the Quakers, Reported as follows:

Your Committee having taken under consideration the Petition of the People of Pasquotank, relative to the Slaves liberated by the Quakers, came to the following opinion, that the Conduct of the said Quakers in setting their Slaves free, at a time when our open and declared Enemies were endeavoring to bring about an Insurrection of the Slaves, was highly criminal and reprehensible, and that it was also directly contrary to the known and

Established Laws of the Country. That upon the late happy change in our Government, the former Laws prohibiting the freeing of Slaves, except under certain circumstances, could not be carried into Execution, because in the change of Government there remained no Church wardens to execute the same, and it of Course became necessary to make provision against the evil then in practice and more alarming than ever, and to answer this end an Act was passed at a General Assembly, held at New Bern, the 8th Day of April, 1777, and as some doubts have arisen whether the Slaves liberated before the passing of that act were subject to the same penalties and proceedings as Slaves liberated afterwards, your Committee are of opinion that justice and policy require that a Bill should now be brought in to explain the said Act and to confirm all Sales of Slaves heretofore made bona fida in consequence of it, in order that the evil, intended to be guarded against, may be fully answered, and fair and honest purchasers, under the sanction of the said Law, may be quieted in their respective possessions.

The House taking the said Report into Consideration, Concurred therewith.

Ordered that the above Report be sent to the Senate for their Concurrence, together with the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your Concurrence the Report of the Committee appointed to take under consideration the Petition of the people of Pasquotank, &c., Concurred with by this House.

Resolved, that the treasurers be directed to receive of the Tax Gatherers and County Treasurers all old proclamation Money collected or received by such Tax Gatherers and County Treasurers in payment of public Taxes; Oath being first made that such Proclamation Money was so collected or received on or before the first Day of February, 1779.

Ordered that the above Resolve be sent to the Senate for their Concurrence, together with the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your Conurrence a Resolve of this House

directing the Treasurers to receive the old proclamation Money therein mentioned.

Resolved, that thirty shillings per Day be allowed to George Cavey, Master of the Flag of Truce sent by the British Commissioners with Dispatches to this State, and now a prisoner of War, for his maintenance, while in this State, to commence from this Day, and that the said Cavey be impowered to draw on the Treasurer of the Northern District for the same.

Resolved also, that the Commissary at Halifax be directed to furnish Rations to the common Sailers who came in the aforesaid Flag, in the same manner as to Continental Soldiers.

Ordered that the above Resolve be sent to the Senate for their Concurrence, together with the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your Concurrence a Resolve of this House allowing the Flag Master and men the sum of money, and Rations therein mentioned, for their Maintenance.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen of the House of Commons:

Herewith you'l receive the Resolve of your House appointing Mr. Jesse Walton, Contractor, for purposes therein mentioned, Concurred with.

At the same time received the Resolve of this House referred to in the above Message, Concurred with.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen of the House of Commons:

Herewith you will Receive the Resolve of this House in favour of Mr. Benjamin Clark, Concurred with.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen of the House of Commons:

We herewith send for your Concurrence a Resolve of this House allowing Mrs. Sarah Dupree a certain sum therein mentioned.

At the same time received the Resolve of the Senate referred to in the above Message, and the same being read was concurred with.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen of the Senate:

We herewith return the Resolve of your House allowing Mrs. Sarah Dupree the sum therein mentioned, Concurred with.

Mr. Adkin McLemore, one of the Members for Bute County, appeared and took his Seat.

Mr. Nash moved for leave and presented a Bill to explain an Act entitled an Act to prevent domestic insurrections and for other purposes, which he read in his place and delivered in at the Table where it was read again, passed & sent to the Senate.

The Bill for dividing Craven County into two Distinct Counties, and for other purposes therein mentioned, was read the third time, amended, passed and sent to the Senate.

The Bill to lay out and establish a Town on the Land Adjacent to the Court House in Guilford County, was read the first time, passed & sent to the Senate.

Mr. Johnston, from the Committee appointed to amend the Bill for regulating and establishing a Militia in this State, presented the same amended. Then, on Motion,

Resolved, that the House Resolve itself into a Committee of the whole and take under consideration the further amendments necessary to be made therein.

The House Resolved itself into a Committee of the whole accordingly, and chose Richard Cogdell, Esquire, Chairman, and after some time spent therein Mr. Speaker resumed the Chair, and Mr. Chairman Reported:

That the Committee had come to several Resolutions on the matter referred to them but not having time to reduce them to form desired leave to sit again in the afternoon.

Resolved, that the Committee have leave to sit again in the afternoon.

The House Adjourned till 4 o'clock P. M.

The House met according to adjournment.

The Bill for erecting a Court House, prison & stocks, in Brunswick County, and other purposes, was read the second time, passed and sent to the Senate.

The order of the afternoon for taking under consideration the further amendments necessary to be made in the Bill for regulating and establishing a Militia in this State being called for and Read,

Resolved, that the House Resolve itself into a Committee of the whole to take the same under Consideration.

The House Resolved itself into a Committee of the whole accordingly, Richard Cogdell, Esq., in the Chair, and after some time spent therein Mr. Speaker resumed the Chair, and Mr. Chairman Reported:

That the Committee had come to several Resolutions on the matter referred to them, but not having time to reduce them to form desired leave to sit again To-morrow.

Resolved, that the said Committee have leave to sit again To-morrow.

The House adjourned till tomorrow morning 9 o'clock.

THURSDAY, 28th January, 1779.

The House met according to Adjournment.

Read the Petition of a number of the inhabitants of New Hanover, Duplin & Bladen Counties, praying to have a new County, made by taking part of each of the said Counties.

Mr. Bloodworth moved for leave and presented a Bill agreeable to the prayer of the said Petition, which was read in his place and delivered in at the Table, where it was again read, passed and sent to the Senate.

Read the Petition of a number of the people of Currituck County praying to have a Fortification erected at Currituck Inlet.

Ordered that the same be referred to a Committee.

Resolved, that Mr. Hewes, Mr. Courtney, Mr. Jones, Mr. Gorham, Mr. Hunter, Mr. Locke and Mr. McLemore, be a Committee for the purpose aforesaid.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen of the House of Commons:

You will receive with this the Resolve of your House directing the Treasurers to receive Old proclamation Money from the Tax Gatherers and County Treasurers in payment of Public Taxes, &c., Concurred with.

At the same time received the Resolve of this House referred to in the above Message, Concurred with.

The Bill for dividing Bute County into two distinct Counties, and for other purposes therein contained, was read the second time amended, passed and sent to the Senate.

Mr. Hooper presented the petition of Richard Quince and Parker Quince, Executors of the last Will & Testament of Richard Quince, Deceased, praying to have an Act of Assembly passed for the purposes therein mentioned.

Mr. Hooper moved for leave and presented a Bill agreeable to the prayer of the said Petition, which he read in his place and delivered in at the Table where it was again read, passed and sent to the Senate.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen of the House of Commons:

We herewith send for your Concurrence a Resolve of this House appointing a Committee to receive and count the old money from the Treasurer.

Resolved, that Mr. Person, Mr. Davidson, Mr. Hunter and Mr. Hewes, be a Committee, to Act with the Gentlemen of the Senate, appointed, to receive and count the Old money from the Treasurer.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen of the Senate:

This House have appointed Mr. Person, Mr. Davidson, Mr. Hunter & Mr. Hewes, a Committee, to Act jointly with the Gentlemen by you appointed, to receive and Count the old Money from the Treasurer.

The Bill for dividing Hertford County, and other purposes, was read the third time, amended, passed and sent to the Senate.

Mr. Courtney moved for leave and presented a Bill for the suppression of vice and immorality, which he read in his place, and delivered in at the Table where it was read again, passed and sent to the Senate.

The Bill for dividing the County of Guilford into two distinct Counties, and other purposes, was read the second time, passed and sent to the Senate.

The Bill for the Ease and Convenience of the Militia in the west end of Rowan County was read the second time, amended, passed and sent to the Senate.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen of the House of Commons:

We herewith send for your Concurrence a Resolve of this House citing Philip Alston and Thomas Hadley to make Report to the next Assembly of their Settlement with Col. Folsom.

At the same time Received the Resolve of the Senate referred to in the above Message, and the same being read was concurred with.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen of the Senate:

We herewith return the Resolve of your House citing Philip Alston and Thomas Hadley to attend the next Assembly for the purposes therein mentioned, Concurred with.

The Bill for levying a Tax for the Year One Thousand seven Hundred and seventy-nine, and other purposes, was read the first time, passed and sent to the Senate.

The Bill for dividing Tryon County, and for other purposes, was read the first time, passed and sent to the Senate.

Mr. Hooper, from the Committee appointed to take into Consideration certain Letters and papers relative to the Sale of the Pennsylvania Farmer and the Resolve which took place at the last Assembly held at Hillsborough concerning the same, Reported as follows:

That upon the examination of Mr. Chas. Bonfield, and reading the deposition of John Blackburn, the Vendue Master, it is their opinion that Mr. Hewes was not the last bidder at the Auction of the said Vessel, but that the last bid was for the sum of £5.100, and that Mr. Hewes was for £5.000 only, and that, therefore, he is by no means chargeable to the public or obliged to take the said Vessel, all which is submitted.

ALEX MARTIN.

The House taking the said Report into consideration, Concurred therewith.

Ordered that the said Report be sent to the Senate for their Concurrence, together with the following Message:

Mr. Speaker and Gentlemen of the Senate:

We herewith send for your Concurrence the Report of the Committee relative to the Sale of the Pennsylvania Farmer, Concurred with by this House.

The Bills to explain an Act, intitled an Act to prevent Domestic insurrections, and for other purposes, was read the second time, passed and sent to the Senate.

The order of the Day for taking under Consideration the further amendments necessary to be made in the Bill for regulating a Militia in this State being called for and read,

Resolved, that the House Resolve itself into a Committee of the whole to take the same under Consideration.

The House Resolved itself into a Committee of the whole accordingly, Richard Cogdell, Esquire, in the Chair, and after some time spent therein, Mr. Speaker resumed the Chair, and Mr. Chairman Reported:

That the Committee had come to several Resolutions on the matter referred to them which he was ready to Report to the House.

Ordered that the said Report lie over until Tomorrow.

Whereas, by the last Assessment Law it is requested that each and every person in the State shall give in a true list on Oath of all Taxable property, wheresoever, to the Justices appointed to receive such list in the District in which each person respectively resides, and that the Assessors for such district shall Assess all

such property, notwithstanding which Overseers and others have been called upon to render in an Account of their employers' Lands and other Taxable property in their care, lying in different parts of the State, to the apparent oppression of Divers good subjects of the State, who are thereby in danger of being subjected to a double Tax, for remedy whereof it is hereby

Resolved, that it is not the meaning of the said Act of Assembly, nor shall it be lawful for any Tax Gatherers, to demand any Taxes for any Taxable Estate within his District unless the owner of such Estate shall be also a resident within his said District.

Ordered that the above Resolve be sent to the Senate for their Concurrence, together with the following Message.

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your Concurrence a Resolve of this House declaring the intent and meaning of the former Assessment Law, &c.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen of the House of Commons:

We herewith return the Report of the Committee appointed to take under Consideration the petition of the people of Pasquotank, &c., Concurred with.

At the same time received the Report referred to in the above Message, Concurred with.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen of the House of Commons:

We herewith return the Report of the Committee relative to the Sale of the Pennsylvania Farmer, &c., Concurred with by this House.

At the same time received the Resolve of the Commons referred to in the above Message, Concurred with.

The House adjourned till Tomorrow morning 9 o'clock.

FRIDAY, 29th January, 1779.

The House met according to adjournment.

Resolved, that this House will not receive any new Bill or Bills after Monday next.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen of the Senate:

This House have Resolved that they will not receive any new Bill or Bills after Monday next, and desire your Concurrence thereto.

The Bill for regulating the town of New Bern, and other purposes therein mentioned, was read the second time, amended, passed and sent to the Senate.

Mr. James Hunter, one of the Members for Guilford County, appeared and took his Seat.

Resolved, that Mr. Smithwick be added to the Committee appointed to receive and Consider the Petition of the people of Currituck.

The Bill for dividing Bute County into two distinct Counties, and for other purposes therein mentioned, was read the third time, passed and ordered to be Engrossed.

Mr. Wilson presented a Petition from a number of the Inhabitants of Mecklenburg County settled on a Tract of Land, Number five, late the property of Governor Dobbs, praying, &c.

Mr. Wilson moved for leave and presented a Bill agreeable to the prayer of the said Petition, which he read in his place and delivered in at the Table where it was again read, passed and sent to the Senate.

Resolved, that Mr. Person, Mr. Jones, Mr. Nash, Mr. Courtney, Mr. Bloodworth and Mr. Hooper, be a Committee, on the part of this House, to Act jointly with a Committee of the Senate to prepare and bring in a Bill for carrying the confiscation Act into Effect.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen of the Senate:

This House have appointed Mr. Person, Mr. Jones, Mr. Nash, Mr. Courtney, Mr. Bloodworth and Mr. Hooper, a Committee, on

their part, to Act jointly with such of your Body as you may think proper to appoint, to prepare and bring in a Bill for carrying the Confiscation Act into effect.

The Bill for annexing a part of Burke County to the County of Tryon and for other purposes, was read the Second time, passed and sent to the Senate.

The Bill for establishing an Academy in the Neighborhood of Hillsborough, was read the first time, passed and sent to the Senate.

The Bill for erecting a Court House, Prison and Stocks in Brunswick County, and other purposes, was read the third time, passed and ordered to be Engrossed.

Resolved, that the House will To-morrow proceed to read for the Second time, the Bill for ascertaining what property in this State shall be deemed Taxable property, the method of Assessing the same & Collecting the public Taxes, and other purposes.

The Bill for the suppression of vice and immorality, was read the Second time, amended, passed and sent to the Senate.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen of the House of Commons:

We have received your Message relative to the Resolve for receiving no new Bills after Monday next, to which we agree.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen of the House of Commons:

We herewith send for your Concurrence a Resolve of this House appointing Ellis Harting, Superintendant of Indian affairs, in the stead of James Robertson, resigned.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen of the Senate:

We herewith return the Resolve of your House appointing Ellis Harting Superintendant of Indian affairs, Concurred with.

The Bill for annexing part of Halifax County to Edgecombe, and other purposes was read the third time, passed and sent to the Senate.

Mr. Person moved for leave and presented a Bill to amend part of an Act entitled an Act for emitting Eight Hundred and fifty Thousand pounds in Bills of Credit for discharging the Debts incurred by raising Men to reinforce the Battalions belonging to this State in the Continental Army, For calling in all former Emissions & other purposes, which he read in his place and Delivered in at the Table where it was again read, passed and sent to the Senate.

Mr. Hooper moved for leave to Bring in a Bill to Establish a Court of Chancery and Equity in this State.

Ordered he have leave.

Resolved, that the Treasurer furnish William Wooten, Contractor for the District of Halifax, with Ten Thousand pounds more to enable him to purchase provisions agreeable to a former Resolve for that purpose, the said Wooten to be accountable.

Ordered that the above Resolve be sent to the Senate for their Concurrence, together with the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your Concurrence a Resolve of this House directing the Treasurer to furnish the Contractor for Halifax District with the further sum of Ten Thousand pounds, &c.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen of the House of Commons:

We received your Message appointing a Committee to prepare and bring in a Bill for carrying the Confiscation Act into Effect, and have for that purpose, on our part, appointed Mr. Coor.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen of the House of Commons:

We herewith send for your Concurrence a Resolve of this House in favour of Mr. James Robertson.

At the same time received the Resolve of the Senate referred to in the above Message, and the same being read was concurreL with.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen of the Senate:

We herewith return the Resolve of your House in favour of James Robertson, Concurred with.

The Bill for ascertaining the lines and Boundaries of a Tract of Land lately granted to Samuel Spencer, was read the Second time, passed and sent to the Senate.

The Bill confirming certain Grants of Land in Earl Granville's District, made by Thomas Child, Esqr., agent for said Earl Granville, after his departure from Edenton, in North Carolina, and during his residence in Suffolk, in Virginia, and for other purposes, was read the third time, amended, passed and sent to the Senate.

The Bill to impower the Court of Bertie County to levy a further Tax for compleating the Public Buildings of the said County, and other purposes, was read the first time, passed and sent to the Senate.

The Bill to empower the County Courts of Martin & Tyrrell to lay a further Tax for defraying the Expence of the Public Buildings of the Counties, was read the first time, passed and sent to the Senate.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen of the House of Commons:

We herewith send for your Concurrence the Report of the Joint Committee appointed to prepare an Address of Thanks to the Honbl. Cornelius Harnett, John Penn and John Williams, Esquires, which this House have concurred with.

The Honbl. Cornelius Harnett and John Williams, Esquires:

GENTLEMEN:

The General Assembly of the State of North Carolina, by the Unanimous Resolves of both Houses, have agreed that the thanks of the State be presented to you for the many great and important services you have rendered your Country as Delegates in the Continental Congress.

The Assiduity and zeal with which you have represented our affairs in that supreme Council of the Continent, during a long and painful absence from your families, demand this respectful

attention of your Countrymen, whose minds are impressed with a sense of the most lively Gratitude.

We cannot but congratulate you, Gentlemen, with ourselves, for those late remarkable Successes of the American Arms, that under the Auspices and divine providence of Almighty God have at length humbled the pride of an insulting, vengeful and imperious Enemy; which, together with those wise Councils and Negotiations, in which you and your worthy Colleagues have borne a share, have induced the first power in Europe to acknowledge the Freedom, Independency and Sovereignty of the United States of America, and have given them rank among the Sovereign Powers of the World.

For the faithful discharge of this your Duty, and the high Trust reposed in you by this State, Accept, Gentlemen, through me, the thanks and plaudit of your Country.

To which the Honbl. Cornelius Harnett and John Williams made the following reply:

To the Honorable Thomas Benbury, Esquire, Speaker of the House of Commons of the State of North Carolina:

SIR:

The Honorable Testimony we have received through you, from the General Assembly of this State, calls for our warmest and most grateful acknowledgedments. We cannot express the happiness we feel in being assured that the Services we have endeavoured to render our Country, have met with the approbation of our Constituents.

We join in Congratulation, with you, for the late Success of the American Arms, which under God have reduced the force, and humbled the pride of an Imperious and cruel Enemy, and it gives us inexpressible pleasure on being assured that the small share we have had in promoting a Negotiation, which has induced one of the Greatest and most powerful States in Europe to acknowledge and Guarantee the Freedom, Independency and Sovereignty of the United States of America, has been approved by our Country.

Give us leave, Sir, to return our most sincere thanks, for the very Polite manner in which you have been pleased to communicate to us the Resolution of the General Assembly.

On motion, ordered that Mr. Joseph Bryan have leave to absent himself from the services of the House for the remaining part of the Session.

On motion, ordered that Mr. Jonas Johnson have leave of absence til Wednesday next.

Resolved, that the Honbl. Speaker be requested to transmit to the Honbl. John Penn, Esquire, the thanks of the State, as follows:

To the Honorable John Penn, Esquire:

Sir:

The General Assembly of the State of North Carolina, by the Unanimous Resolves of both Houses, have agreed that the thanks of the State be presented to you for the many great and important services you have rendered your Country as a Delegate in the Continental Congress.

The Assiduity and zeal, with which you have represented our affairs in that supreme Council of the Continent, during a long and painful absence from your Family, demand the respectful attention of your Countrymen, whose minds are impressed with a sense of the most lively Gratitude.

We connot but congratulate you, Sir, with ourselves, for those late remarkable Successes of the American Arms, that under the Auspices and Divine Providence of Almighty God, have at length humbled the pride of an insulting, vengeful and Imperious Enemy, which, together with those wise Councils and Negotiations, in which your worthy Colleagues have borne a share, have induced the first power in Europe tc Acknowledge the Freedom, Independency and Sovereignty of the United States of America, and have given them rank among the Sovereign Powers of the World.

For the faithful discharge of this your duty, and the high Trust reposed in you by this State, accept, Sir, through me, the thanks and plaudit of your Country.

The House Adjourned til Tomorrow Morning 9 o'Clock.

SATURDAY, 30th January, 1779.

The House met according to Adjournment.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen of the Senate:

This House have appointed Mr. William Baker, on their part, to examine the Engrossed Bills.

Read the Petition of a number of the Inhabitants of Bladen County, praying, &c.

Ordered that the same be Rejected.

Resolved, that the Members of the Assembly be allowed Ten Dollars per Day each for their attendance at, coming to and returning from this present Session of General Assembly.

Ordered that the above Resolve be sent to the Senate for their Concurrence, together with the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your Concurrence a Resolve of this House for ascertaining the Daily allowance of the Members of this Assembly.

On motion, ordered that Mr. Thomas Hicks have leave to absent himself from the service of the House for the remaining part of the Session.

Resolved, that the Accounts of William Graham be referred to the Committee appointed to examine the Accounts of William Gilbert, that they examine and Report on the same.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen of the Senate:

This House have thought proper to refer the Accounts formerly allowed Col. William Graham to the joint Committee appointed to examine the accounts of William Gilbert, and desire your concurrence thereto.

Resolved, that Capt. Ralph Williams be allowed one Hundred pounds for so much expended by him Marching the new levies from Granville County, &c., to Peytonsburg, in Virginia; that the Treasurers or either of them pay him the same and be allowed.

Ordered that the above Resolve be sent to the Senate for their Concurrence, together with the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your Concurrence a Resolve of this House allowing Capt. Ralph Williams a Certain sum therein mentioned.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen of the House of Commons:

We have received your Message and Resolve explaining the last assessment Act, but cannot concur therewith, and propose the Resolve you will herewith receive in lieu thereof.

At the same time received the Resolve of the Senate referred to in the above Message, and the same being read was agreed to.

Ordered that the following Message be sent to the Senate :

Mr. Speaker & Gentlemen of the Senate:

We herewith return the Resolve of your House you propose adopting in lieu of the one sent by this House for your Concurrence, explaining the last assessment Act, agreed to.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen of the House of Commons:

We herewith return the Resolve of your House for ascertaining the pay of the Members of the Assembly, concurred with.

At the same time received the Resolve of this House referred to in the above Message, Concurred with.

Ordered that Mr. Jones and Mr. Nash be a Committee to take out & amend the assessment Bill, &c.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen of the House of Commons:

We herewith return the Resolve of your House allowing Capt. Ralph Williams a Certain sum therein mentioned, Concurred with.

At the same time received the Resolve of this House referred to in the above Message, Concurred with.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen of the House of Commons:

We herewith send for your Concurrence a Resolve of this House for ordering the Regular Troops in and about the Town of Halifax to Kingston, &c.

At the same time received the Resolve of the Senate referred to in the above Message, and the same being read was concurred with.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen of the Senate:

We herewith return the Resolve of your House ordering the Regular Troops in and about Halifax to Kingston, Concurred with.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen of the House of Commons:

We herewith send for your Concurrence a Resolve of this House requiring the Governor to issue no Draughts on the Treasury in favour of the Commissioners appointed to purchase provisions, &c.

At the same time received the Resolve of the Senate referred to in the above Message, and the same being read was rejected.

Read the Memorial of William Skinner, Esquire, Treasurer.

Ordered that the same be referred to Mr. Jones & Mr. Nash.

Mr. Davidson presented a Petition from a number of the Inhabitants of Anson County, praying for a Division thereof.

Mr. Davidson moved for leave and presented a Bill agreeable to the prayer of the said Petition, which he read in his place & delivered in at the Table where it was read again, passed and sent to the Senate.

Resolved, that Mr. Wickley Franks, for the County of Jones, & Mr. Henry Hill, for the County of Franklin, & Mr. Christopher Reddick, for the County of Gates, be appointed to take the Polls of the Election in their respective Counties, under the same Rules & Regulations of General Elections, and at the places appointed for holding their first Courts, respectively.

Ordered that the above Resolve be sent to the Senate for their Concurrence, together with the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your Concurrence a Resolve of this House appointing certain Gentlemen therein mentioned to hold Elections in the Counties therein mentioned.

Mr. Johnston moved for leave to bring in a Bill to Dock the Intails of Lands.

Whereas, it appears by the Acc'ts of William Wooten, one of the Commissioners for purchasing provisions, &c., that he has expended a Larger sum of Money than he has received from the Treasurer for that purpose;

Resolved therefore, that the Treasurer advance to him such further sum as may be necessary to reimburse him the additional sum as may be by him expended, not exceeding Five Thousand Pounds, and take further Security for the same.

Ordered that the above Resolve be sent to the Senate for their Concurrence, together with the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your Concurrence a Resolve of this House impowering the Treasurer to advance to William Wooten, Commissioner, &c., a further sum of Money, for the purposes therein mentioned.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen of the House of Commons:

Mr. Coor and Mr. Kinchen are appointed on the part of this House to examine the Engrossed Bills.

The several matters to this Day referred being postponed, the House adjourned till Monday morning 9 o'clock.

MONDAY, 1st February, 1779.

The House met according to Adjournment.

Resolved, that Mr. Jesse Walton be empowered to draw the sum of Five Thousand pounds out of the Public Treasury to enable him to provide for the Troops on the Indian Expedition, that the said Walton give Security to the Treasurer and be accountable for the same, that the Treasurers, or either of them, advance the same and be allowed.

Ordered that the above Resolve be sent to the Senate for their Concurrence, together with the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your Concurrence a Resolve of this House in favour of Jesse Walton, &c.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen of the House of Commons:

We have received your Message proposing that the Committee appointed to examine the Acc'ts of William Gilbert be directed to re-examine the accounts of William Graham, to which we agree.

Mr. Bloodworth moved for leave & presented a Bill for appointing Naval officers in the different Ports of this State & Directing their Duty in office & for other purposes, which he read in his place and Delivered in at the Table where it was again read, passed and sent to the Senate.

Mr. Hooper moved for leave and presented a Bill to Establish Courts of Chancery in this State and to regulate the manner of proceeding therein, which he read in his place and delivered in at the Table where it was read again, passed and sent to the Senate.

Mr. Nash, one of the Committee appointed to take out and amend the Tax Bill, &c., brought in the same and recommended to the House to take under consideration the amendments necessary to be made therein.

Ordered, that the same be referred to a joint Committee, that Mr. Nash, Mr. Hooper, Mr. Jones, Mr. Hewes, Mr. Lock and Mr. Person, be a Committee, on the part of this House, for the purpose aforesaid.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen of the Senate:

This House conceive that it will be expedient to amend the Bill for levying a Tax, by providing that all Lands shall be Classed instead of being valued, and for this purpose have appointed Mr. Nash, Mr. Hooper, Mr. Jones, Mr. Hewes, Mr. Lock and Mr. Person, a Committee, on their part, to Act jointly with such members of your House as you shall appoint, in Case you approve of such alteration.

The Bill for annexing a part of Burke County to the County of Tryon, and for other purposes, was read the third time and rejected.

Mr. Hewes moved for leave and presented a Bill to Amend an Act Entitled an Act for erecting a prison in the Town of Edenton, for the use of the District of Edenton, which he read in his place and Delivered in at the Table where it was again read, passed and sent to the Senate.

The Bill for apprehending and selling certain Slaves set free contrary to Law, and confirming the sales of others, and for other purposes, was read the first time, passed and sent to the Senate.

Mr. Jones moved for leave and presented a Bill to amend an Act entitled an Act to amend an Act for establishing offices for receiving entries of Claims for Lands in the several Counties within the State, for ascertaining the method of obtaining Titles to the same, and for other purposes therein mentioned, which he read in his place and delivered in at the Table where it was again read, passed and sent to the Senate.

Mr. Person moved for leave and presented a Bill for Establishing an Academy in the County of Granville, for appointing Trustees, and other purposes, which he read in his place and delivered in at the Table where it was again read, passed and sent to the Senate.

Read the Remonstrance of Mr. Adam Boyd, on behalf of the Continental Officers and Soldiers from this State, &c.

Ordered that the same be referred to a Joint Committee, and That Mr. Hewes, Mr. Hawkins and Mr. Bloodworth, be a Committee, on the part of this House, for the purpose aforesaid.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen of the Senate:

This House have appointed Mr. Hewes, Mr. Hawkins and Mr. Bloodworth, a Committee, on their part, to take under consideration the Remonstrance of Mr. Adam Boyd, on behalf of the Continental Officers and Soldiers from the State.

Read the Petition of Alexander Diack, Executor of the Estate of William Aitcheson, of Virginia, Merchant, Deceased, praying, &c.

Ordered that the same be referred to a Joint Committee, and That Mr. Hewes, Mr. Lock, Mr. Hawkins, Mr. Cogdell, Mr. Whitaker and Mr. Person, be a Committee, on the part of this House, for the purpose aforesaid.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen of the Senate:

This House have appointed Mr. Hewes, Mr. Lock, Mr. Hawkins, Mr. Cogdell, Mr. Whitaker and Mr. Person, a Committee, on their part, to Act jointly with such Gentlemen of the Senate as may be appointed, to take under consideration the petition of Alexander Diack.

Mr. Jones, from the Committee appointed to take under consideration the Remonstrance of William Skinner, Esquire, Reported as follows:

Your Committee having considered the aforesaid Remonstrance, are of opinion that it is impracticable for the Treasurers to attend at the various times and places which the Law passed at Hillsborough in August last, for calling in all former Emissions of Money in this State, directs, And therefore that it is necessary to appoint one or more persons, well skilled in distinguishing good Money from bad, in each District, who shall be required to attend on the Commissioners for the new Money and receive from them such sums as the Assembly shall think proper, and shall exchange the same for Dollar Bills, of the former Emissions, in their respective Districts, in the same manner as by Law the Treasurers are directed to do.

Your Committee are also of opinion that altho' the appointments here proposed should take place, it will still be impossible

for the persons so appointed to obtain the new Money from the Commissioners and exchange the same for the Dollar Bills heretofore emitted, within the time limited by Law, wherefore it is necessary that a further Day be given.

Your Committee, being informed that a Committee is already appointed to count and receive the old proc. from Mr. Skinner, think it unnecessary to say any thing further upon that head.

The House taking the said Report into consideration, Ordered that Mr. Willie Jones have leave to take out the Bill to amend part of an Act entitled an Act for emitting Eight Hundred and fifty thousand pounds in Bills of Credit for discharging the Debts incurred by this State in raising men to reinforce the Battalions belonging to this State in the Continental Army, for calling in all former Emissions and other purposes, by inserting a Clause containing the substance of the said Report.

The Bill to enable the inhabitants of a certain Tract of land lying in Mecklenburg County, known by the name of Governor Dobbs Tract, number five, to make Entries thereof, and obtain Titles for the same, was read the second time, passed and sent to the Senate.

Mr. Hooper moved for leave and presented a Bill to amend an Act intitled an Act to regulate the pilotage of Cape Fear and Ocracock Bars, and the Rivers leading from the same to Brunswick, Wilmington, New Bern, Bath and Edenton, which he read in his place and delivered in at the Table where it was again read, passed and sent to the Senate.

On motion, ordered that Mr. Jesse Walton have leave to absent himself from the service of the House.

Mr. Hooper moved for leave and presented a Bill to amend an Act intitled an Act to impower the Courts for the Counties of Tryon and Guilford to lay a Tax by Assessment for finishing the Court House, prison and Stocks, in the said Counties, and also to impower the several Counties in the District of Wilmington to levy Taxes for building a District Gaol and Gaoler's House, in the Town of Wilmington, and other purposes therein mentioned, which he read in his place and delivered in at the Table where it was again read, passed and sent to the Senate.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen of the House of Commons:

The Resolve of your House allowing Mr. Jesse Walton to draw a certain sum from the Treasury for the purpose of supplying the Troops, ordered on the Indian Expedition, with provisions, you will with this receive, concurred with.

At the same time received the Resolve of this House referred to in the above Message, Concurred with.

Received from the Senate the following Message:

Mr. Speaker and Gentlemen of the House of Commons:

We have appointed Col. Martin, Mr. Coor and Mr. Kinchen, to Act jointly with the Gentlemen by you appointed, to take under consideration the petition of Alexander Diack.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen of the House of Commons:

We have received your Message appointing a Committee to consider the remonstrance of Mr. Adam Boyd, on behalf of the Continental Officers and Soldiers from this State, to which we agree, and have, on our part, appointed Mr. Coor and Mr. Martin.

The Bill for dividing the County of Guilford into two Distinct Counties, and other purposes therein mentioned, was read the third time, amended, passed and sent to the Senate.

Mr. Ferreby moved for leave and presented a Bill for erecting a Battery at Currituck Inlet, and for other purposes, which he read in his place and delivered in at the Table where it was read, passed and sent to the Senate.

Mr. Bright moved for leave and presented a Bill for laying a further Tax on the Taxable property of the Inhabitants of Camden County, for the purposes of finishing and compleating the Court House, prison & Stocks, for the said County, which he read in his place and delivered in at the Table where it was again read, passed and sent to the Senate.

Mr. Hooper moved for leave and presented a Bill to Establish the seat of Government for the State of North Carolina, for erecting public buildings and providing proper officers for the public

offices, and for the reception of the Public records, and other purposes therein mentioned, which he read in his place and Delivered in at the Table where it was again read, passed and sent to the Senate.

The Honorable Speaker laid before the House a Letter from the Honbl. John Williams, Esqr., one of the Delegates from this State in Congress, resigning his appointment of Delegate.

Mr. Ferreby presented the Petition of Gideon Lamb, and others, praying, &c.

Agreeable to the prayer of the said Petition, Mr. Ferreby moved for leave and presented a Bill to invest the property of a Bridge or Causeway in Gideon Lamb, his Heirs and assignees, by him already built, thro' the Great Dismal Swamp, from Lebanon to Camden County, for the term of Twenty-five years, which he read in his place and Delivered in at the Table where it was again read, passed and sent to the Senate.

The Bill to empower the County Courts of Martin & Tyrrel to lay a further Tax for defraying the Expence of the public Buildings of the Counties aforesaid, was read the Second Time, amended, passed and sent to the Senate.

Whereas, it is necessary that Magazines be erected in the Districts of Edenton, New Bern, Wilmington, Halifax and Salisbury, for the preservation of the Military Stores belonging to the United States and to this State;

Resolved, that Commissioners be appointed in each of the said Districts, with full power to purchase a Lott or Piece of Ground, in some convenient and proper place in such District, and to contract with workmen to Erect or cause to be erected a proper Building for the purposes aforesaid.

Resolved, that Josiah Collins and William Bennett, for the District of Edenton; Jesse Cobb and Major Croom, for the District of New Bern; John James, jun., and Richard Blair, for the District of Wilmington; Col. Nicholas Long and Col. John Geddy, for the District of Halifax, and Adley Osborn and David Woodson, for the District of Salisbury, be and they are hereby appointed Commissioners for the purposes aforesaid.

Resolved, that the Treasurers, or either of them, pay into the hands of the Commissioners for the District of Edenton the sum of one Thousand Pounds, to the Commissioners for the Districts

of New Bern, Wilmington, Halifax and Salisbury, the sum of Seven Hundred & fifty Pounds each, respectively, to enable them to Erect the said Magazines as soon as possible, and that the said Commissioners of each of the said Districts, respectively, be directed to lay before the General Assembly, at their next Session, their proceedings, with a State of their Accounts and expences.

Resolved, that the Colonel or Commanding officers of the Militia in the County of Chowan be directed to appoint a proper Guard to secure the Public Military Stores that are now in the Town of Edenton.

Ordered that the above Resolve be sent to the Senate for their Concurrence, together with the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your Concurrence a Resolve of this House appointing Commissioners to Erect Magazines for the Reception of the Military Stores, &c., in this State.

The House Adjourned till 4 O'clock P. M.

The House met according to Adjournment.

Mr. Lodowich Alford, one of the Members of Wake County, appeared and took his Seat.

The Bill to empower the County Courts, respectively, to order the laying out of public Roads, &c., and other purposes therein mentioned, was read the first time, passed and sent to the Senate.

Resolved, that To-morrow Morning the House will take under Consideration the Salaries of the following Officers, Viz.: The Governor, Secretary, Treasurers, Delegates of the Continental Congress, Judges of the Superior Courts, Attorney General and the public Printer.

The Bill to lay off and establish a Town near Chatham Court House, on the Plantation & Land formerly the Property of Ambrose Edwards, now entered in the Land Office by Ambrose George, in said County, was read the first Time, passed and sent to the Senate.

The Bill for altering the Time for holding certain County Courts of Pleas & Quarter Sessions therein mentioned, was read the first time, passed and sent to the Senate.

The Bill to prescribe the Affirmation of Allegiance & Fidelity to this State to be taken by the People called Moravians, Quakers, Mennonist, and Dunkards, granting them certain Indulgence therein mentioned, and for other purposes, was read the first Time, passed and sent to the Senate.

The Bill to prevent the stealing of Slaves, and for other purposes therein mentioned, was read the first Time, passed and sent to the Senate.

The Honbl. Mr. Speaker laid before the House a Letter from the Honbl. Sam. Ashe, one of the Judges of the Superior Courts, signifying a Resignation of his Appointment, &c.

The Bill for extending the Boundary line between this State & Virginia, was read the first Time, passed and sent to the Senate.

Resolved, that George Cavey, Master of the Flag sent into this State by his Britanick Majesty's Commissioners, now a Prisoner of War in Halifax, be paroled within Eight Miles of Halifax Town, that the Officers & men who came in under the Command of the said Cavey be paroled to Edenton. That Genl. Jones be requested to receive their Paroles, accordingly.

Ordered that the above Resolve be sent to the Senate for their Concurrence, together with the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your concurrence a Resolve of this House for enlarging the Parols of the men and officers therein Mentiened.

The House adjourned till To-morrow morning 9 o'clock.

Tuesday, 2nd February, 1779.

The House met according to Adjournment.

The sheriff of Beaufort County Certified that Thomas Respass, jun., Esq., was duly elected as a Member of the Commons House of Assembly for the said County, whereupon the said Thomas Respass, jun., Esq., appeared, was qualified and took his seat.

The Bill for establishing an Academy in the County of Granville, for appointing Trustees, & other purposes, was read the second Time, passed and sent to the Senate.

The Bill for levying a Tax for defraying the Contingencies of the several Counties in this State, and for other purposes therein mentioned, was read the first Time, passed and sent to the Senate.

Read the Petition of sundry of the Inhabitants of Bertie County, praying, &c.

Ordered that the same be rejected.

The Bill for apprehending & selling certain Slaves set free contrary to Law, and for confirming the Sales of certain Slaves, &c., was read the second Time, passed and sent to the Senate.

On motion, ordered that Mr. William Baker have Leave to absent himself from the services of the House after To morrow.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen of the House of Commons:

We herewith return the Resolve of your House for enlarging the Parols of certain Persons, Concurred with.

At the same time Received the Resolve of this House referred to in the above Message, Concurred with.

The House adjourned till tomorrow morning 9 o'clock.

WEDNESDAY, 3rd February, 1779.

The House met according to Adjournment.

Resolved, that the House will proceed to reading Bills, and not hear any petition whatever til 1 o'clock.

The Bill to lay off and establish a Town near Chatham Court House, on the plantation & Land formerly the property of Ambrose Edwards, now entered in the Land Office by Ambrose George, in said County, was read the second time, passed and sent to the Senate.

The Bill for establishing an Academy in the Neighborhood of Hillsborough was read the second time, amended, passed and sent to the Senate.

The Bill for appointing Naval Officers in the different ports of this State, and directing their duty in office, and for other purposes, was read the second time, passed and sent to the Senate.

The Bill for extending the Boundary line between this State and the Common Wealth of Virginia, was read the second time, amended, passed and sent to the Senate.

The Bill to amend and explain an Act for Establishing Offices for receiving entries of claims for Lands in the several Counties within this State, for ascertaining the Method of obtaining Titles to the same, and for other purposes therein mentioned, was read the first time, passed and sent to the Senate.

The Bill for erecting a separate and distinct County, by taking off a part of the Counties of New Hanover, Duplin and Bladen, was read the second time and Rejected.

The bill for dividing Tryon County into two distinct Counties, and for other purposes, was read the second time, amended, passed and sent to the Senate.

The Bill for dividing the County of Anson into two distinct Counties, and other purposes therein mentioned, was read the second time, amended, passed and sent to the Senate.

Whereas it has been thought proper, for the convenience and easy attendance of the Delegates for this State in the Continental Congress, that the number of them should be increased.

Resolved, that in addition to the number heretofore appointed there be chosen one other Delegate, who shall hold and possess

the same powers, Rights and Authorities, which have been heretofore Delegated by this State to the members representing the same in the Continental Congress.

Resolved, that another Delegate be chosen in the room of John Williams, Esquire, who has resigned the said Office.

Resolved, that three members, and three only, of the six appointed, shall attend the Congress at the same time, and every Delegate so attending shall, during his said attendance, there, going to, and returning from the Congress, be paid out of the public Treasury at and after the rate of three Thousand pounds per Annum.

Resolved, that the Additional Delegates now to be chosen, as well as the Delegates who shall be appointed to succeed John Williams, Esquire, shall be and continue in office for the term of one year next ensuing the date of their appointment, unless otherwise ordered by a Subsequent Assembly.

Ordered that the above Resolve be sent to the Senate for their Concurrence, together with the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your Concurrence a Resolve of this House for providing the Delegation of this State in Congress, &c.

Resolved, that a Judge of the Superior Court shall be appointed in the room of James Iredell, Esquire, who has resigned, that each of the Judgee shall attend four Courts at least, of every Circuit of the Superior Courts, if not prevented by sickness or other unavoidable necessity, and each Judge shall receive out of the public Treasury Three Thousand pounds per annum.

Ordered that the above Resolve be sent to the Senate for their Concurrence, together with the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your Concurrence a Resolve of this House relative to the Salaries of the judges, &c.

Mr. Jones moved for leave and presented a Bill to carry into effect an Act passed at New Bern, in November, in the year one

Thousand seven hundred and seventy-seven, entitled an Act for confiscating the property of all such Persons as are inimical to the United States, and of such persons as shall not within a certain time, therein mentioned, appear and submit to the State, whether they shall be received as Citizens thereof, and of such persons as shall appear and shall not be admitted as Citizens, and for other purposes therein mentioned, and for other purposes, which he read in his place & Delivered in at the Table where it was again read, passed and sent to the Senate.

Resolved, that the public Printer be allowed the rate of two Thousand pounds per Annum from this date, that he be allowed the rate of Twelve hundred pounds for the last year to this date.

Resolved, that the Attorney General be allowed Twelve hundred pounds per annum, and each of the Public Treasurers Two Thousand pounds per annum, to commence from this Date.

Ordered that the above Resolve be sent to the Senate for their Concurrence, together with the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your Concurrence a Resolve of this House respecting the Salaries of the Public Printer, Attorney General and Public Treasurers.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen of the Senate:

This House propose, if agreeable to the Senate, to Ballot at 4 o'Clock in the afternoon for a judge of the Superior Court, in the stead of James Iredell, Esquire, resigned; Two Delegates to represent this State in Congress, one in the stead of John Williams, Esqr., resigned, the other to be added to the Delegation; a Brigadier General for the District of Wilmington, in the stead of General Ashe, promoted; a Councillor, in the room of William Cray, Esquire, Deceased; a place for holding the next Assembly at; and put in nomination for a judge, John Williams (Granville), and Archibald McLaine, Esquires; For Delegates, Joseph Hewes, Alexander Martin, William Sharp and Thomas Barker, Esquires; For a Brigadier General, Alexander Lillington and Thomas Brown, Esquires; for a Councillor, Frederick Jones, Esquire; a place for

holding the next Assembly at, The Towns of New Bern, Hillsborough and Campbletown.

If you approve of this measure you'l signify the same by Message.

We have on our part appointed Mr. Person and Mr. James Williams to superintend the Balloting.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen of the House of Commons:

The Resolve of your House appointing Commissioners to erect Magazines for the reception of Military Stores in this State, you will with this receive, Concurred with.

At the same time received the Resolve of this House referred to in the above Message, Concurred with.

Mr. Williams, from the joint Committee appointed to arrange and ascertain the Salaries & fees of the different officers in the civil department in this State, presented the Report of the said Committee, and the same being read was rejected.

Then on motion, Resolved, that the Clerks' fees be double what they now stand at.

This being objected to, the Question was put and carried in the Affirmative, Thirty to Nineteen.

On motion of Mr. Person; ordered that the Yeas and Nays be taken down on the said Question, which are as follows:

Yeas.—Messrs. Johnston, Smithwick, Baker, Peebles, Hawkins, Mayo, Jordan, Sanders, McCrawley, Hewes, Hooper, Gilbert, Cleveland, Isaacs, James Williams, Swain, Nash, Relf, Miller, Farrow, Hancock, Williams (Caswell), Davidson, Gorham, Bright, Cogdell, Shepperd, Spruill, Hunter & Respass.

Nays.—Messrs. Haywood, Williams (Pitt), Cotton, Devane, Bloodworth, Clark, Cain, Clinton, Jacob Hunter, Whitaker, Fifer, Locke, Wilson, Winston, Ferreby, Hardin, Person, Lindsey & Stephen Miller.

The Bills to ascertain and regulate the Fees of the Clerks in the Superior and County Courts, Justices of the peace, and Attorneys, in this State, and directing the method of paying the same, and other purposes, was read the second time, amended, passed and sent to the Senate.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen of the House of Commons:

We herewith return the Resolve of your House for enlarging the number of Delegates for this State in Congress, &c., Concurred with.

At the same time received the Resolve of this House referred to in the above Message, Concurred with.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen of the House of Commons:

We have received your Message proposing that the General Assembly Ballot at 4 o'Clock this Evening, for the several officers therein mentioned, to which we agree, and put in nomination for a Delegate to represent this State in Congress, Mr. Benjamin Hawkins.

The House Adjourned til To-morrow Morning 9 o'Clock.

THURSDAY, 4th February, 1779.

The House met according to Adjournment.

Mr. Person, one of the Committee appointed, on the part of this House, to superintend the Balloting for a judge of the Superior Court, two Delegates, a Brigadier General for the District of Wilmington, a Councillor, and a place for holding the next Assembly at, Reported, that, by a Majority of the votes of both Houses, Archibald McLaine, Esqr., was Elected a Judge; Joseph Hewes & William Sharpe, Esquires, Delegates; Frederick Jones, Esqr., Councillor; Alexander Lillington, Brigadier General; and that the next Assembly was to be held at New Bern.

The House taking the said Report into Consideration,

Resolved, that they do concur therewith.

Read the Memorial of James Iredell, Esq., in behalf of Henry Eustis M'Culloch, and sundry papers therein referred to.

Ordered that the same be referred to a joint Committee, and that Mr. Person, Mr. Nash, Mr. Jones, Mr. Hawkins, Mr. Hewes, Mr. Hooper, Mr. Johnston, Mr. Cogdell and Mr. Respass, be a Committee on the part of this House for the purposes aforesaid.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen of the Senate:

This House have appointed Messrs. Person, Nash, Jones, Hawkins, Hewes, Hooper, Johnston, Cogdell and Respass, a Committee, on their part, to Act jointly with a Committee of the Senate, to take under Consideration the Memorial of James Iredell, Esq., in behalf of Henry Eustis M'Culloch.

Read the memorial of William Palmer, in behalf of his Father, Robert Palmer, Esqr.

Ordered that the same be referred to the Committee appointed to take under Consideration the Memorial of James Iredell, Esq., &c.

Read the Memorial of the Honbl. Thomas Benbury, Esq., in behalf of Thomas Oldham, late of Chowan County.

Ordered that the same be referred to the Committee appointed to take into consideration the Memorial of James Iredell, Esq., &c.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen of the Senate:

We herewith send you the Memorial of William Palmer, in behalf of his Father, Robert Palmer; also the Memorial of the Honbl. Thomas Benbury, Esqr., in behalf of Thomas Oldham, late of Chowan County, both of which we propose referring to the Committee appointed to take under Consideration the Memorial of James Iredell, Esq., &c.

Mr. Hewes, from the Committee appointed to examine into the quantity of Public Tobacco on hand, and to devise ways and means of paying for Twenty-three pieces of heavy Cannon Imported in the Ship "Holy Heart of Jesus," Captain Borretts, commander, Reported as follows:

That it appears to your Committee there is about Forty Hogsheads of Tobacco belonging to the public, in the hands of Mr. Nathaniel Keais; that from the quantity of Salt put into the hands of the said Keais, your Committee are of opinion the quantity of Tobacco ought to be greater. That it also appears to your Committee it will require one Hundred and Forty Hogsheads of Tobacco to pay for the Cannon aforesaid. That Robert Salter,

Esq., be appointed to receive all such Tobacco already purchased, and to purchase such other quantities as may be necessary to compleat the payment of the said Cannon and to settle and adjust the Accounts with Captain Borretts, as Agent for the Merchant that Contracted for and sent out the same, so far as relates to the proportion of such Cannon as have been Landed for the use of this State.

That the Treasurers or either of them be directed to pay into the hands of the said Robert Salter, Esquire, the sum of Fifteen Thousand Pounds, to enable him to purchase such quantities of Tobacco as may be wanting for the purpose aforesaid, and to compleat the settlement with Captain Borretts, and that he lay his accounts, proceedings and Expenditures before the General Assembly at their next Session.

The House taking the said Report into consideration, Concurred therewith.

Ordered that the above Report be sent to the Senate for their Concurrence, together with the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your Concurrence the Report of the Committee appointed to examine into the quantity of Public Tobacco, &c., Concurred with by this House.

Read the Report of the Committee appointed to consider the petition of Alexander Diack, one of the Executors of the Estate of William Aitchison, Deceased, and the same was Rejected.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen of the House of Commons:

This House have received your Message and Resolve in favour of Capt. Hinson, and propose passing a Resolve in favour of the Inhabitants of Bermuda, Generally, supposing that many of that Island will come into this State with the same desire of procuring provisions; and that all are equally entitled to those Benefits, for which purpose we have sent a Resolve for your Concurrence.

Received from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith return the Resolve of your House in favour of the Inhabitants of the Island of Bermuda, Concurred with by this House.

Read the Petition of Isaiah Paschal, of Granville County, praying, &c.

Resolved, that Mr. Person & Mr. Peebles, be a Committee to inquire into the facts set forth in the said Petition.

On reading the Petition of Hance Bond, Captain of Marines on Board the Ship Caswell, praying to be paid his Wages and the Wages of his Officers and Marines, &c.

Resolved, that, on his producing a Certificate from Capt. Willis Wilson, Commander of the said Ship, or other sufficient proof of the time he, his officers and Marines have served on Board the said Ship, That John Easton, Esquire, paymaster, do pay such Wages as may appear to be due.

Ordered that the above Resolve be sent to the Senate for their Concurrence, together with the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your Concurrence a Resolve of this House in favour of Hance Bond, Captain of the Marines on Board the Ship Caswell, &c.

Whereas, for the want of a sufficient number of Assessors in Captain Mulford's District, in Bladen County, the property of the Inhabitants thereof have not been assessed agreeable to Law; Therefore,

Resolved, that any three Justices of the peace in the said County be, and they are hereby, authorized and impowered to appoint as many assessors for the said District as may be necessary. That such assessors are hereby required to assess the property of the Inhabitants of the said District agreeable to the Assessment Act now in force, and under the same rules and regulations as therein prescribed.

Ordered that the above Resolve be sent to the Senate for their Concurrence, together with the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your Concurrence a Resolve of this House

impowering any three Justices of the peace in Bladen County to appoint Assessors, for the purposes therein mentioned.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen of the House of Commons:

We herewith return the Report of the Committee appointed to examine into the quantity of public Tobacco, &c., concurred with by this House.

At the same time received the Report of the Committee referred to in the above Message, Concurred with.

Mr. Johnston, according to order, presented a Bill to Dock the Intails of the Lands, which he read in his place & Delivered in at the Table where it was again read, passed and Sent to the Senate.

The Bill to lay off and establish a Town near Chatham Court House, on the plantation and Land formerly the property of Ambrose Edwards, now entered in the Land office by Ambrose George, in said County, was read the third time, passed and ordered to be Engrossed.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen of the House of Commons:

The Resolve of your House impowering any three justices of the peace in Bladen County to appoint Assessors for a Certain District in the said County, we herewith return you, Concurred with.

Resolved, that after reading the Militia Bill To-morrow Morning, that the House will proceed to reading such Bills as are on the third reading.

Ordered that Mr. Gorham and Mr. Respass be added to the Committee of Public Accounts.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen of the House of Commons:

This House have received your Messages referring the consideration of the several Memorials, in behalf of absentees, to a Committee of both Houses, which we cannot concur with, this House

being clearly of opinion that the prayers of the said Memorials militate directly against the true spirit and intention of the Confiscation Act and would be granting a partial Indulgence to a few Individuals who are equally as subject to the Rigor of the Law as many others now in the same situation.

Mr. Person from the Committee appointed to enquire into the facts set forth in the Petition of Isaiah Paschal, Reported as follows:

That the facts set forth in the said Petition are true, as we are induced to believe, and that the said Isaiah Pachal is in or about the Fiftieth year of his age, and at this time so infirm and under such Disability as renders him unfit for the Service.

We therefore recommend him to this House as a fit object of their notice, and that he be in future discharged from Military duty and future Drafts, for the defence of this State or the United States of America.

The House taking the said Report into consideration, Concurred therewith.

Ordered that the above Report be sent to the Senate for their Concurrence, together with the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your Concurrence the Report of a Committee appointed to enquire into facts set forth in the Petition of Isaiah Paschal, Concurred with by this House.

The House adjourned till To-morrow Morning 9 o'Clock.

Friday, 5th February, 1779.

The House met according to adjournment.

Resolved, that the House will To-morrow proceed to read the Confiscation Act, &c.

Resolved, that Mr. Hewes, Mr. Sessums and Mr. Johnston, be a Committee, on the part of this House, to examine and report on the accounts of Nicholas Long, Esquire, Deputy Quarter Master General.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen of the Senate:

This House have appointed Mr. Hewes, Mr. Sessums and Mr. Johnston, a Committee, on their part, to act jointly with such Gentlemen of the Senate as may be appointed, to examine And Report on the Accounts of Nicholas Long, Esquire, Deputy Quarter Master General.

Mr. Cogdell, from a Committee of the whole House, Reported the Amendments necessary to be made in the Bill to Regulate and Establish a Militia in this State, which being read were ordered to be made in the Bill. Then, on motion, ordered that the said Bill be read the second time. Read the same the second time, amended, passed and sent to the Senate.

Read the Petition of Lt. Ptolemy Powell, praying, &c.

Ordered that the same be referred to a Committee. That Mr. Johnston, Mr. Williams (Caswell) and Mr. Respass, be a Committee for that purpose.

The Bill for apprehending and Selling certain Slaves set free contrary to law, and for confirming Sales of others, and for other purposes, was read the third time, passed and ordered to be engrossed.

This being objected to, on motion of Mr. Locke, ordered that the Yeas & Nays be taken down on the said Question, which are as follows:

Yeas.—Messrs. Haywood, Johnston, Williams (Pitt), Cotton, Smithwick, Devane, Bloodworth, Peebles, J. Hunter, Clark, Cain, Clinton, Mayo, J. Hunter, Sessums, Turner, Wilson, Sanders, McCrawley, Gilbert, Hardin, Cleveland, Isaacs, Swain, Nash, Relf, Farrow, Hancock, Brown, Griffin, Patterson, Williams (Caswell), Gorman, Bright, Shepperd, Spruill, McLemore, Alford and Respass.

Nays.—Messrs. Jordan, Fifer, Locke, Winslow, Hooper, Person, Lindsey, F. Miller, S. Miller and J. Hunter.

The Bill for the ease and convenience of the Militia in the West End of Rowan County, was read the third time, passed and sent to the Senate.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen of the House of Commons:

We have received your Message appointing a Committee to examine and Report on the Accounts of Nicholas Long, Esquire, to which we agree, and have appointed Messrs. McKenzie, Coor and Sumner, a Committee.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen of the House of Commons:

The Resolve of your House in favour of Captain Hance Bond we herewith return you, concurred with.

At the same time received the Resolve of this House referred to in the above Message, Concurred with.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen of the House of Commons:

The Report of the Committee appointed to inquire into facts set forth in the Petition of Isaiah Paschal, we herewith return you, concurred with.

At the same time received the Report of the Committee referred to in the above Messsge, Concurred with.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen of the House of Commons:

You will with this receive the Report of the Committee appointed to take under Consideration the Memorial of the Reverend Mr. Adam Boyd, Concurred with by this House.

At the same time received the Report of the Committee referred to in the above Message, and the same being read was concurred with.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen of the Senate:

We herewith return the Report of the Joint Committee appointed to take under Consideration the Memorial of the Revd. Mr. Adam Boyd, Concurred with by this House.

The Bill to establish Courts of Chancery in this State, and to regulate the manner of proceeding therein, was read the second time, amended, passed and sent to the Senate.

The Bill for establishing an Academy in the Neighborhood of Hillsborough, was read the third time, passed and ordered to be Engrossed.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen of the House of Commons:

We herewith send for your Concurrence the Report of the Committee appointed to consider of ways and means to supply the State with Arms, &c., Concurred with by this House.

At the same time Received the Report of the Committee referred to in the above Message, and the same being read was Concurred with.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen of the Senate:

We herewith return the Report of the Committee appointed to Consider of ways and Means to supply this State with Arms, &c., Concurred with by this House.

Resolved, that Mr. Mayo, Mr. Jordan, Mr. James Hunter and Mr. Isaacs, be added to the Committee appointed to receive and Count the old Proc.

The House adjourned til 4 o'Clock P. M.

The House met according to Adjournment.

Read the Petition of Carling Wollard & William Congleton, praying, &c.

Ordered that the same be referred to a Committee. That Mr. Williams (Caswell), Mr. Hawkins, Mr. Peebles and Mr. Bloodworth, be a Committee for the purpose aforesaid.

Resolved, that the House will To-morrow proceed to read the Bill for the Regulation of the Town of New Bern, The Bill for establishing an Academy in Granville County, The Bill to enable the Inhabitants of a Certain Tract of land lying in Mecklinburg County, known by the name of Governor Dobb's Tract Num-

ber five, and the Bill for Extending the boundary line between this State and the Common Wealth of Virginia.

The Bill to invest the property of a Bridge or Causeway in Gideon Lamb, his Heirs and Assigns, by him already built thro' the Great Dismal Swamp, from Lebanon to Camden County, for the term of Thirty-five years, was read the Second time, passed and sent to the Senate.

The Bill for levying a Tax for defraying the Contingencies of the several Counties in this State, and for other purposes therein mentioned, was read the Second time and Rejected.

The Bill to impower the County Courts of Martin & Tyrrell to lay a further Tax for defraying the expense of the Public Buildings of the Counties aforesaid, was read the third time, passed and ordered to be Engrossed.

The Bill to impower the Court of Bertie County to lay a further Tax for Compleating the Public Buildings of said County, and other purposes, was read the second time, passed and sent to the Senate.

The Bill to amend an Act entitled an Act to regulate the Pilotage of Cape Fear and Ocracock Bars & the Rivers leading from the same to Brunswick, Wilmington, New Bern, Bath & Edenton was read the Second time, amended, passed and sent to the Senate.

Resolved, that Mr. Lock, Mr. Bloodworth and Mr. Hawkins, be a Committee to take out and amend the Bill to impower the County Courts of pleas & quarter Sessions in this State to order the laying off Public Roads, &c.

The Bill to amend an Act entitled an Act to impower the Courts for the Counties of Tryon & Guilford to lay a tax by assessment for finishing the Court House, prison & Stocks, in the said Counties, and also to impower the several Counties in the District of Wilmington to levy Taxes for Building a District Gaol and Gaoler's House, in the Town of Wilmington, and other purposes therein mentioned, was read the Second time, amended, passed and sent to the Senate.

The House Adjourned till To-morrow Morning 9 o'clock.

Saturday, 6th Febuary, 1779.

The House met according to Adjournment.

Mr. Respass, from the Committee appointed to examine the pay roll of Lt. Ptolemy Powell, Officer of the Guard at Halifax, Reported as follows:

That the same is consistent with the Continental pay.

All which is submitted.

The House taking the said Report into Consideration, Concurred therewith.

Resolved, that the Treasurers, or either of them, pay the said Lt. Ptolemy Powell the amount of his Pay roll, and be allowed in their Accounts with the Public.

Ordered that the above Resolve and Report be sent to the Senate for their Concurrence, together with the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your Concurrence the Report of a Committee appointed to examine the pay roll of Lt. Ptolemy Powell, Concurred with by this House; also a Resolve of this House impowering the Treasurers, or either of them, to pay the Amount of the said pay roll.

On motion, ordered that Mr. William Brown have leave to absent himself from the service of this House.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen of the House of Commons:

We herewith return the Resolve of your House in favour of Capt. Powell, Concurred with.

At the same time received the Resolve of this House referred to in the above Message, Concurred with.

The Bill to carry into effect an Act passed at New Bern, in November, in the year one thousand seven Hundred and seventy-seven, entitled an Act for confiscating the property of all such persons as are inimical to the United States, and of such persons as shall not within a Certain time therein mentioned appear and

submit to the State, whether they shall be received as Citizens thereof, and of such persons as shall so appear and shall not be admitted as Citizens, and for other purposes therein mentioned, and for other purposes, was read the second time, amended, passed and sent to the Senate.

Ordered that the Committee appointed to examine and report on the Accounts of Nicholas Long, Esquire, Deputy Quarter Master General, be directed to examine and settle the Accounts of Thomas Craike, Commissary of Stores.

Mr. Thornton Yancey, one of the Members for the County of Granville, appeared and took his Seat.

The Bill for ascertaining what property in this State shall be deemed taxable property, the method of assessing the same and collecting the public Taxes, and other purposes, was read the second time, amended, passed and sent to the Senate.

On reading the Petition of the Rev. Mr. Adam Boyd, praying, that Mr. Bloodworth or Mr. Mallet, Contractors for the District of Wilmington, be impowered to supply him with his Rations and Forage due and to become due, agreeable to the Continental Arrangement,

Resolved, that either of the said Contractors be and they are hereby impowered to supply the said Rev. Mr. Boyd with Rations and Forage, agreeable to the aforesaid Arrangement.

Ordered that the above Resolve be sent to the Senate for their Concurrence, together with the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your Concurrence a Resolve of this House in favour of the Rev. Mr. Adam Boyd.

The House Adjourned til 4 o'Clock P. M.

The House met according to Adjournment.

On motion, ordered that Mr. John Easton have leave to absent himself from the Service of the House.

The Bill for Establishing an Academy in the County of Granville, for appointing Trustees, and other purposes, was read the third time, amended, passed and sent to the Senate.

The Bill to Enable the Inhabitants of a certain Tract of Land lying in Mecklenburg County, known by the name of Governor Dobb's Tract, number five, to make Entries thereof and obtain Titles for the same, was read the third time, amended, passed and sent to the Senate.

Resolved, that the House will, on Monday next, proceed to read for the third time the Bill for the Regulation of the Town of New Bern.

Mr. Person, from the joint Committee appointed to re-examine accounts of William Gilbert, Commissary for Tryon County, Reported as follows:

It appears to your Committee that Mr. William Alston acted as a joint Commissary with Mr. Gilbert, that Col. Graham gave Mr. Gilbert a receipt for a number of Rations, in which were included one hundred and twenty rations for six days supply for Captain Hardin and his Company, that Captain Hardin gave Mr. Alston a receipt for a large number of rations for his Company, in which number the aforesaid one Hundred and twenty rations were also included: That since that time the said Captain Hardin hath given Mr. Gilbert a Receipt for five Thousand and seventy-one rations, for said Hardin and his Company, all which receipts for rations have been charged to the public and paid partly to Mr. Gilbert and partly to Mr. Alston, so that in this Instance, Mr. Gilbert hath received pay for the aforesaid one hundred and twenty and the last mentioned five thousand and Seventy-one rations at ten pence each, amounting to two hundred and Sixteen pounds five shillings and ten pence, which he had no right to charge and which should therefore be by him repaid into the Treasury of this State. That that part of the Report of the Committee at Hillsborough, in August last, respecting Mr. Morris, appears to have been occasioned by mistake and that it

appears Mr. Gilbert hath paid Mr. Morris agreeable to the allowance made by the public. That part of said report respecting Mr. Gilbert certifying the probate of an account when he was not at that time in the Commission of the Peace appears to your Committee as reported by the Committee at Hillsboro.

Your Committee further Report, that it appears Colonel Graham gave Mr. Gilbert a receipt for Six Thousand seven Hundred Rations in full of Rations delivered by Mr. Gilbert to the officers and men in the service from the first to the 29th day of August, 1776, which Mr. Gilbert charged in his Account with the Public, and hath been paid for, and that the aforesaid Gilbert hath also charged the Public by four different receipts four Thousand one Hundred and fifty-two Rations for the aforesaid Troops and hath received satisfaction from the Public for the same, when in truth, as it appears to your Committee by the Dates of the Receipts, the same were included in Colo. Graham's General receipt, and therefore should not have been charged by Mr. Gilbert, which said four Thousand one Hundred and fifty-two rations, at 10 each amounting to one Hundred and Seventy-three pounds, together with the aforesaid two Hundred and Sixteen pounds five Shillings and ten pence, amounting in the whole to three Hundred and eighty-nine pounds five Shillings and ten pence, hath been by Mr. Gilbert wrongfully and intentionally charged to the public.

The Committee also Report that it appears by the Oath of Captain Hardin that, at the time said Hardin gave the above mentioned receipt for rations, he told Mr. Gilbert that he had given Mr. Alston a receipt for the same, and that Mr. Alston had already received the money from the public. Notwithstanding which Mr. Gilbert hath again charged the said rations to the public, and hath received pay for the same as is before expressed.

And, lastly, your Committee Report that for want of the vouchers and owing to the great confusion and perplexity of the Accounts and papers they cannot at present make so full & satisfactory an investigation of the aforesaid accounts as they would otherwise have done.

All which is submitted.

The House taking the said Report into consideration, concurred therewith, and

Resolved, that on Mr. Gilbert's complying with the two first

parts of the said Report, that he be indulged til next Session of General Assembly to make his defence, (to the last article thereof only).

Ordered that the above Report, &c., be sent to the Senate for their Concurrence, together with the following Messsage:

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your Concurrence the Report of the Committee appointed to re-examine the Accounts of William Gilbert, also a Resolve of this House thereon.

The House Adjourned til Monday Morning 9 o'Clock.

Monday, 8th February, 1779.

The House met according to Adjournment.

The Bill for regulating the Town of New Bern, and other purposes therein mentioned, was read the third time, amended, passed and sent to the Senate.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen of the House of Commons:

This House have appointed Mr. Coor & Mr. Sumner, to act with such Gentlemen as you may appoint, to receive the old proclamation Money from the Treasurer & burn the same this Evening.

Resolved, that Messrs. Hunter, Williams (Caswell), Jordan, Mayo, Bloodworth, Relf and Fifer, be a Committee to Act with the Gentlemen of the Senate for the purpose aforesaid.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen of the Senate:

This House have received your Message appointing certain Gentlemen to receive of the Treasurer the old proclamation Money and burn the same this Evening, and have for the purpose, on our part, appointed Messrs. Hunter, Williams (Caswell), Jordan, Mayo, Bloodworth, Relf and Fifer.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen of the House of Commons:

We herewith return the Resolve of your House in favour of the Reverend Mr. Adam Boyd, Concurred with.

At the same time received the Resolve of this House referred to in the above Message, Concurred with.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen of the House of Commons:

This House have received the Report of the Committee appointed to investigate the Accounts of William Gilbert, and cannot concur therewith, unless you insert the words "and intentionally" in the third page of the Report, as it came from the Committee, and we cannot concur with the Resolve of your House relative to granting Mr. Gilbert time til next Assembly for preparing his Defence, unless it relates to the last Article of the Report only.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen of the Senate:

This House have received the Message of yours proposing Amendments in the Report of the Committee relative to William Gilbert, as also the Resolve of this House relative thereto, to which we agree and have made the same conformable.

Resolved, that Mr. Hooper, Mr. Jones, Mr. Nash, Mr. Lock and Mr. Johnston, be a Committee to prepare and bring in a Bill for raising Men to March to the Southward.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen of the House of Commons:

We herewith send for your Concurrence a Resolve of this House impowering the Treasurer to receive such old Proclamation Money as the Collectors had received bona fide before the first day of February.

At the same time received the Resolve of the Senate referred to in the above Message, and the same being read was Concurred with.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen of the Senate:

We herewith return the Resolve of your House impowering the Treasurer to receive the old proclamation Money therein mentioned, Concurred with.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen of the House of Commons:

We herewith return the Report of the Committee appointed to re-examine the Accounts of William Gilbert, and the Resolve of your House thereon, concurred with.

At the same time received the Report and Resolve referred to in the above Message, Concurred with.

Ordered that the Committee to examine the Accounts of Nicholas Long, Esquire, Deputy Quarter Master General, be a Committee to examine the public Accounts of this State, so far as they are investigated.

Resolved, that Mr. James Green be directed to pay to either of the Public Treasurers the sum of one Hundred and four pounds fourteen Shillings and three pence, due by him to the State for eight Tory and two Public Horses sold at Wake Court House, and that such Treasurer Account for the same in settlement with the public.

Ordered that the above Resolve be sent to the Senate for their Concurrence, together with the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your Concurrence a Resolve of this House directing Mr. James Green to pay a certain sum of Money into the Public Treasury, which is in his hands, for certain Tory & Publick Horses sold by him.

Mr. William Gilbert, one of the Members of Tryon County, having been charged with passing sundry erroneous accounts in the former Sessions of Assembly, and a Select Committee having now fully inquired into the same and reported that the said Gilbert had intentionally defrauded the publick to a Considerable amount, which Report was concurred with by the Assembly:

Resolved, that the said William Gilbert, by reason of his Conduct in this Respect, is unworthy of a Seat in the House of Commons, and that he be expelled from the same.

The Honbl. Speaker laid before the House a Letter from John Geddy, Esquire, Lieutenant Colonel of Halifax County, resigning his office of Lt. Colonel aforesaid.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen of the House of Commons:

We herewith return the Resolve of your House directing Mr. James Green to pay a certain sum of Money into the Treasury, &c., Concurred with.

At the same time received the Resolve of this House referred to in the above Message, Concurred with.

On reading the Bill for levying a Tax for the year one Thousand seven hundred and seventy-nine, and other purposes, it was proposed that the said Bill be amended by inserting a Tax of three pence on each pound value of Taxable property instead of two pence, this being objected to the question was put and carried in the affirmative, 29 to 19.

Then, on motion, ordered that the Yeas and Nays be taken down on the said Question, which are as follows:

Yeas.—Messrs. Jones, Haywood, Johnston, Williams (Pitt), Cotton, Smithwick, Devane, Bloodworth, Hawkins, J. Hunter, Mayo, Jacob Hunter, Jordan, Turner, Whitaker, Sanders, McCrawley, Fereby, Hooper, Swain, Nash, Relf, Williams (Caswell), Gorham, Bright, Cogdell, Shepperd, Respass and Yancy.

Nays.—Messrs. Peebles, Clark, Cain, Clinton, Fifer, Lock, Wilson, Hardin, Cleveland, Isaacs, Lindsey, F. Miller, Farrow, Griffin, Patterson, Davidson, S. Miller, Spruill and James Hunter.

The said Bill being read the second time was amended, passed and sent to the Senate.

The Bill to Dock the Intails of Land was read the second time, amended, passed and sent to the Senate.

The Bill for raising forces for the Defence of this State and the neighboring States, and other purposes, was read the second time, amended, passed and sent to the Senate.

In the Assessment Bill when it went from this House, Slaves under five years of age, and all between the ages of Fifty and Sixty, were valued at two Hundred Pounds each, and on reading the same the third time in the Senate, the valuation of two Hundred pounds was Deléd and one Hundred and Fifty pounds Substituted in lieu thereof, and on reading the same the third time in this House it was moved and seconded that the valuation of two Hundred pounds be settled, this being objected to, the question was put and carried in the Negative, 35 to 14.

Then, on motion, ordered that the Yeas and Nays be taken down on the said Question, which are as follows:

Yeas.—Messrs. Peebles, Hunter, Sesums, Fifer, Lock, Wilson, Winslow, Hardin, Isaacs, Lindsey, Williams (Caswell) Davidson, Hunter and Alford.

Nays.—Messrs. Jones, Haywood, Johnson, Williams (Pitt), Cotton, Smithwick, Devane, Bloodworth, Hawkins, Clark, Cain, Clinton, Mayo, Jacob Hunter, Jordan, Turner, Whitaker, Sanders, McCrawley, Fereby, Hooper, Cleveland, Swain, Nash, Miller, Farrow, Griffin, Patterson, Miller, Bright, Cogdell, Shepperd, Spruill, Respass and Yancey.

The House Adjourned til 4 o'Clock P. M.

The House met according to Adjournment.

The Bill for laying a further Tax on the Taxable property of the Inhabitants of Camden County, for the purposes of finishing & Compleating the Court House, prison and Stocks, for the said County, was read the second time, amended, passed and sent to the Senate.

The Bill for erecting a Town in the County of Washington was read the second time, passed and sent to the Senate.

Mr. William Bryan, one of the members for the County of Johnston, appeared and took his Seat.

The Bill for dividing Tryon County into two Distinct Counties, & for other purposes therein mentioned, was read the third time, passed and ordered to be Engrossed.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen of the House of Commons:

This House have received & considered a Letter from His Excellency the Governor, a Letter from the Delegates from this State to His Excellency, which we propose referring to a joint Committee of both Houses, & have appointed Messrs. Martin, Coor, Rogers & Davis.

Ordered that Messrs. Nash, Hooper, Jones and Lock, be a Committee, on the part of this House, for the purposes aforesaid.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen of the Senate:

This House have received the Message of yours appointing certain Gentlemen therein mentioned to Act jointly with a Committee of this House to take under consideration the Letters, &c., therein referred to, and have, for that purpose, on our part, appointed Messrs. Nash, Hooper, Jones and Lock.

Resolved, that the House will, To-morrow, proceed to read the Bill to regulate and Establish a Militia in this State. Also the Bill to regulate and ascertain the Fees of Clerks in the Superior and County Courts, &c.

The Bill for dividing the County of Anson into two Distinct Counties, & other purposes therein mentioned, was read the third time, amended, passed and sent to the Senate.

The Bill to impower the Court of Bertie County to levy a further Tax for compleating the Public Buildings in said County, & other purposes, was read the third time, passed and ordered to be Engrossed.

The Bill for extending the boundary line between this State & the Commonwealth of Virginia, was read the third time, passed and ordered to be Engrossed.

The Bill to amend part of an Act entitled an Act for emitting Eight Hundred and fifty Thousand Pounds in Bills of Credit, for discharging the Debts incurred by this State in raising men to reinforce the Battalions belonging to this State in the Continental Army, for collecting in all former Emissions, & other purposes, was read the second time, amended, passed and sent to the Senate.

The Bill for altering the times of holding certain County Courts of Pleas and Quarter Sessions therein mentioned, was read the second time, passed and sent to the Senate.

The Bill for erecting a Battery at Currituck Inlet, and for other purposes therein mentioned, was read the second time and Rejected.

The Bill to amend an Act entitled an Act for Erecting a Prison in the Town of Edenton, for the use of the District of Edenton, was read the second time, passed and sent to the Senate.

The Bill to prescribe the Affirmation of Allegiance and Fidelity to this State to be taken by the people called Moravians, Quakers, Mennonists, and Dunkards, and granting them certain Indulgences therein mentioned, & for other purposes, was read the second time, amended, passed and sent to the Senate.

The Bill to Establish the Seat of Government, &c., was read the second time and Rejected.

The Bill to amend an Act entitled an Act to amend the Staple of Tobacco, and prevent frauds, &c., was read the second time and Rejected.

The Bill for the supression of vice and immorality was read the first time and Rejected.

Resolved, that Mr. Bloodworth, Mr. Cleveland, Mr. Winslow & Mr. Isaacs, be added to the Committee appointed to re-examine the Accounts of William Graham.

The House Adjourned til To-morrow Morning 9 o'Clock.

TUESDAY, 9th Febuary, 1779.

The House met according to Adjournment.

Read the Petition of John Cruden, sen., praying to be admitted a Citizen, &c.

Ordered that the same be referred to a Committee appointed to take under Consideration the Memorial of James Iredell, Esq., &c.

Ordered that the following Message be sent to the Senate.

Mr. Speaker & Gentlemen of the Senate:

We herewith send you the Petition of John Cruden, sen.,

which we have thought proper to refer to the Committee appointed to take under Consideration the Memorial of James Iredell, Esq.

We also propose that that Committee take under Consideration the Memorial of the Honbl. Thomas Benbury, Esq., in behalf of Thomas Oldham, late of Chowan County, and desire your Concurrence thereto.

Resolved, that Doct. Savage's Acct., for sundries delivered for Col. Chariol's Battalion, be referred to Mr. Craik; and that he be directed to allow and pay for as much of the said account as shall appear to him to be founded upon articles purchased for and applied to cloathing the new Commissioned officers and Common Soldiers of the said Battalion.

Ordered that the above Resolve be sent to the Senate for their Concurrence, together with the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your Concurrence a Resolve of this House referring the Account of Doct. Savage, &c., to Mr. Craik.

Resolved, that Messrs. Savage and Westmore be allowed the sum of twelve Hundred and fifty-three pounds six shillings for sundry Cloathing, &c., furnished the nine Months men; that the Treasurers, or either of them, pay them the same and be allowed.

This being objected to the question was put & carried in the affirmative, 32 to 19.

Then, on motion, ordered that the yeas & nays be taken down on the said question, which are as follows:

Yeas.—Messrs. Jones, Johnston, Williams (Pitt), Cotton, Smithwick, Devane, Hawkins, T. Hunter, Mayo, Jacob Hunter, Jordan, Turner, Fifer, Sanders, McCrawley, Hooper, Swain, Nash, Relf, F. Miller, Hancock, Griffin, Patterson, Williams (Caswell), Gorham, Bright, Cogdell, Shepperd, Spruill, Alford, Respass and Yancey.

Nays.—Messrs. Haywood, Bloodworth, Clark, Cain, Clinton, Sessums, Whitaker, Lock, Wilson, Winslow, Harden, Cleveland, Isaacs, Lindsey, Farrow, Davidson, S. Miller, McLemore and James Hunter.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your Concurrence a Resolve of this House allowing Messrs. Savage and Westmore a Certain sum therein mentioned.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen of the House of Commons:

We herewith send for your Concurrence the Resolve of this House in favour of Charles Waddell. For your further Information we send you said Waddell's account.

At the same time received the Resolve of the Senate referred to in the above Message, and the same being read was concurred with.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen of the Senate:

We herewith return the Resolve of your House in favour of Charles Waddell, Concurred with.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen of the House of Commons:

Herewith you will Receive the Resolve of this House in favour of Col. William Bryan, of Johnston County, together with the account, which we send for your Concurrence.

At the same time Received the Resolve of the Senate referred to in the above Message, and the same being read was concurred with.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen of the Senate:

We herewith return the Resolve of your House in favour of Col. William Bryan, of Johnston County, Concurred with.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen of the House of Commons:

We herewith send for your Concurrence a Resolve of this House in favour of Charles Pasteur, Esqr.

At the same time received the Resolve of the Senate referred to in the above Message, and the same being read was Concurred with.

Ordered that the following Message be sent to the Senate:
Mr. Speaker & Gentlemen of the Senate:

We herewith return the Resolve of your House in favour of Charles Pasteur, Esqr., Concurred with.

The Bill to regulate and ascertain the Fees of the Clerks in the Superior and County Courts, Justices of the Peace, and Attorneys, in this State, and directing the method of paying the same, and other purposes, was read the third time, amended, passed and sent to the Senate.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen of the House of Commons:

We herewith send for your Concurrence a Resolve of this House in favour of Mr. William Wooten.

At the same time received the Resolve of the Senate referred to in the above Message, and the same being read was Concurred with.

Ordered that the following Message be sent to the Senate:

Mr. Speaker and Gentlemen of the Senate:

We herewith return the Resolve of your House in favour of William Wooten, Concurred with.

Resolved, that Mr. William Gilbert have leave to resign the office of a Justice of the Peace in Tryon County.

Ordered that the above Resolve be sent to the Senate for their Concurrence, together with the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your Concurrence a Resolve of this House permitting William Gilbert to resign the office of a Justice of the peace of Tryon County.

The Bill to amend an Act entitled an Act to amend an Act for establishing offices for receiving Entries of Claims for Lands in the several Counties within this State, for ascertaining the method of

obtaining titles to the same, and for other purposes therein mentioned, was read the second time, amended, passed and sent to the Senate.

Resolved, that the House will, tomorrow Morning, proceed to read the Confiscation Bill, &c.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen of the House of Commons:

This House have Unanimously agreed that Mr. Gilbert shall resign his office of a Justice of the Peace.

The House Adjourned til 4 o'Clock P. M.

The House met according to Adjournment.

The Bill to invest the property of a Bridge or Causeway in Gideon Lamb, his Heirs and Assigns, by him already built, thro' the Great Dismal Swamp, from Lebanon to Camden County, for the term of Twenty-five years, was read the third time, amended, passed and sent to the Senate.

Resolved, that Mr. Cogdell be appointed to examine the Engrossed Bills.

The Bill to amend an Act intitled an Act to Regulate the Pilotage of Cape fear and Ocracock Barrs, and the Rivers leading from the same to Brunswick, Wilmington, New Bern, Bath and Edenton was read the third time, passed and sent to the Senate.

Resolved, that Mr. Nash have leave to absent himself from the service of the House.

The Bill for altering the times of holding certain County Courts of Pleas and Quarter Sessions, therein mentioned, was read the third time, passed and ordered to be Engrossed.

The Bill for erecting a Town in the County of Washington, was read the third time, passed and sent to the Senate.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen of the House of Commons:

We herewith return the Resolve of your House in favour of Messrs. Savage and Westmore, concurred with by this House.

At the same time received the Resolve of this House referred to in the above Message, Concurred with.

The Bill for levying a Tax for the year one Thousand Seven Hundred and Seventy-nine, and other purposes, was read the third time, passed and ordered to be Engrossed.

The Bill for ascertaining what property in this State shall be deemed Taxable property, the method of assessing the same and collecting the public Taxes, & other Purposes, was read the third time, amended by consent, passed and ordered to be Engrossed.

The Bill for laying a further Tax on the Taxable property of the inhabitants of Camden County for the purposes of finishing and Compleating the Court House, prison and Stocks, for the said County, was read the third time, passed and sent to the Senate.

The Petition of William Egleson, praying, &c., was read and rejected.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen of the House of Commons:

We herewith send for your Concurrence a Resolve of this House in favour of Doct. Charles Pasteur, being the Ballance of his Account, it sufficiently appearing the account is justly due.

At the same time received the Resolve of the Senate referred to in the above Message, and the same being read was concurred with.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen of the Senate:

We herewith return the Resolve of your House in favour Doct. Charles Pasteur, Concurred with.

The House Adjourned till To-morrow Morning 9 o'clock.

WEDNESDAY, 10th February, 1779.

The House met according to Adjournment.

Resolved, that Mr. Cogdell, Mr. Haywood and Mr. Respass, be a Committee to examine and Report upon the accounts of Christopher Dudley, one of the Commissioners for Erecting Saltpetre works in the Town of Halifax.

The Bill to amend an Act Entitled an Act for Erecting a Prison in the Town of Edenton, for the use of the District of Edenton, and for other purposes, was read the third time, amended, passed and sent to the Senate.

On reading the said Bill, Mr. Relf moved that that part of the Clause which related to repairing the Court House be struck out.

The question was put and carried against the Motion, 40 to 8.

Then, on motion, ordered that the Yeas and Nays be taken down on the said question, which are as follows:

YEAS.—Messrs. Haywood, Johnston, Williams (Pitt), Devane, Bloodworth, Peebles, Hawkins, T. Hunter, Clark, Cain, Clinton, Jacob Hunter, Jordan, Turner, Whitaker, Hardin, Cleveland, Isaacs, Lindsey, F. Miller, Farrow, Hancock, Griffin, Patterson, Williams (Caswell), Davidson, Gorham, S. Miller, Shepperd, McLemore, Jas. Hunter, Alford, Respass, Yancey and Bryan.

NAYS.—Messrs. Cotton, Smithwick, Fifer, Fereby, Swain, Relf, Bright and Spruill.

Mr. Jones, from the Committee appointed to consider His Excellency the Governor's Letter, together with a Letter from the North Carolina Continental Delegates, inclosing some Resolutions of Congress, Reported as follows:

That a sufficient provision is already made by the Militia Law, of this present Session, for the State Regiment directed to be raised for the particular service thereof, by the advance of the Militia pay.

Thereupon, your Committee are of opinion that the said Regiment shall not be entitled to draw Cloathing.

Your Committee are further of opinion that His Excellency be empowered, at his Discretion, to Grant warrants to the purchasing Commissioners, appointed during the present Session, for so much Money exclusive of the Ten Thousand pounds to each Commissioner, according to a former Resolution, as may be necessary

to discharge the Contracts which they have already entered into, and that he discharge such Commissioners from the Public Service.

Your Committee observe, that by a Resolution of Congress, Dated January 2, 1779, it is declared "That the whole Emission of Continental Currency of May 20, 1777, and April 11, 1778, shall be taken out of Circulation, and that the same shall be received for Debts and Taxes into the Continental Treasury, or into the Continental Loan Offices, either on loan or to be exchanged for other Bills of the like Tenor, until the first Day of June next, and shall not be redeemable after the said day; and as the good people of this State are possessed of many Continental Bills of the Emissions above mentioned, Your Committee recommend that the publick printer be directed to publish the aforesaid Resolution of Congress, and the members of the General Assembly also to notify the same to their Constituents, that those who have Continental Bills, of the aforesaid Emissions, may apply to the Manager of the Continental Loan office in due time.

Your Committee having lastly considered that part of the Letter from the Delegates of this State which relates to re-inlisting such Continental Soldiers of nine Months men now to the Northward, and belonging to this State, whose time of service has expired or is about to expire, beg leave to recommend that a Bounty of three Hundred Dollars per man be given to each Soldier who shall re-inlist for one year or more in the North Carolina Continental Service, and that the Continental Delegates be authorized to Act accordingly.

The House taking the said Report into Consideration, Concurred therewith.

Ordered that the above Resolve be sent to the Senate for their Concurrence, together with the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your Concurrence the Report of the Committee appointed to Consider His Excellency the Governor's Letter, together with a Letter from the North Carolina Continental Delegates, &c., Concurred with by this House.

Whereas a Petition hath been preferred to the Legislature of this State by the Honbl. Thomas Benbury, Esquire, in behalf of

Thomas Oldham, and by John Cruden for himself, praying that they may be admitted to the priviledges of Citizens of this State, and be restored to their property, and sitting forth divers matters & things in the said Petition to entitle themselves thereunto.

Resolved, therefore, that the said Petitions be referred to the Governor & Council, and that it be recommended to them to enquire into the merits of the said Petitions and the several matters therein contained and to gíve notice to the Petitioners to attend with any proofs they may be possessed of, and that the Governor and Council shall report to the next Assembly the result of such their inquiries.

Ordered that the above Resolve be sent to the Senate for their Concurrence, together with the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your Concurrence a Resolve of this House relative to the Petitions of the Honbl. Thomas Benbury, Esq., in behalf of Thomas Oldham, and the Petition of John Cruden.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen of the House of Commons:

We herewith send for your Concurrence a Resolve of this House recommending Colo. Robert Salter to the Command of the Detachment to be ordered as an Escort to the Commissioners who are to run the dividing line between this State and the State of Virginia.

At the same time received the Resolve of the Senate referred to in the above Message, and the same being read was Concurred with.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen of the Senate:

We herewith return the Resolve of your House recommending Colo. Robert Salter to the Command of the Detachment ordered as an Escort to the Commissioners, &c., Concurred with.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen of the House of Commons:

You will with this receive a Resolve of this House appointing persons for purposes therein mentioned, which we send for your Concurrence.

At the same time received the Resolve of the Senate referred to in the above Message, and the same being read was concurred with.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen of the Senate:

We herewith return the Resolve of your House appointing persons for purposes therein mentioned, Concurred with.

The House Adjourned till 4 o'clock P. M.

The House met according to adjournment.

The Bill to impower the County Courts of Pleas and Quarter Sessions, in this State, to order the laying of Public Roads, &c., & other purposes therein mentioned, was read the second time and Rejected.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen of the House of Commons:

We herewith send for your Concurrence a Resolve of this House in favour of Doct. William Savage.

At the same time received the Resolve of the Senate referred to in the above Message, and the same being read was Concurred with.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen of the Senate:

We herewith return the Resolve of your House in favour Doct. William Savage, Concurred with.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen of the House of Commons:

We return you with this the Report of the Committee appointed to consider His Excellency the Governor's Letter and a Letter from the North Carolina Delegates, &c., Concurred with.

At the same time received the Report referred to in the above Message, Concurred with.

The Bill to carry into effect an Act passed at New Bern, in November, in the year one Thousand seven Hundred & seventy-seven, entitled an Act for Confiscating the property of all such persons as are inimical to the United States, and of such persons as shall not within a Certain time therein mentioned appear and submit to the State, whether they shall be received as Citizens thereof, and of such persons as shall so appear and shall not be admitted as Citizens, and for other purposes, was read the third time, amended, passed and sent to the Senate.

It was moved and seconded that the said Bill be rejected, the question was put & carried against the motion, 32 to 16.

Then, on motion, ordered that the yeas and Nays be taken down on the said question, which are as follows:

Yeas.—Messrs. Johnston, Williams (Pitt), Jones, Cotton, Smithwick, Devane, Bloodworth, T. Hunter, Mayo, Sessums, Jordan, Turner, Whitaker, Sanders, McCrawley, Fereby, Hooper, Swain, Relf, F. Miller, Hancock, Griffin, Patterson, Gorham, S. Miller, Bright, Cogdell, Shepperd, Alford, Respass, Yancey and Bryan.

Nays.—Messrs. Haywood, Clinton, Hunter, Fifer, Lock, Winslow, Wilson, Hardin, Cleveland, Isaacs, Person, Farrow, Williams (Caswell), Davidson, Spruill and McLemore.

The Bill to prevent stealing of Slaves, and for other purposes therein mentioned, was read the second time, amended, passed and sent to the Senate.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen of the House of Commons:

We herewith send for your Concurrence a Resolve of this House appointing Auditors to settle and Adjust the Publick Accounts.

At the same time received the Resolve of the Senate referred to in the above Message, and the same being read was Rejected.

Resolved, that one person be appointed to settle and Adjust the Public Accounts, who shall examine and State all former public

private accounts, and Claims, and lay the same before the General Assembly so soon as they shall be compleated (or sooner if thereto required), and, in order to prevent any imposition on the Publick, that he keep Books well bound, in which he shall State all Accounts so examined against the United States and inhabitants of this State, since the Commencement of the present War with Great Britain.

Resolved, that John Hunt be and he is hereby appointed Auditor for the purposes aforesaid, who shall be allowed the sum of three Thousand Pounds for such service, and such other further sum as the Assembly may think proper. That the said John Hunt shall give Bond with security in the sum of Ten Thousand Pounds, payable to His Excellency the Governor and his successors in office, for the faithful discharge of his Duty.

Resolved, that the said John Hunt shall have free access to all Public papers and accounts, and shall have power to remove the same to any place he shall think most convenient. That he be also impowered to receive of the Public Secretary such and so many of the large bound Books taken as the property of Governor Martin, as may be necessary for the purposes aforesaid, and the Secretary is hereby impowered to deliver him the same.

Resolved, that the said John Hunt be allowed to draw out of the Public Treasury of this State the sum of Fifteen Hundred Pounds to enable him to proceed on the settlement of the said Accounts. That the Treasurers or either of them advance him the same & be allowed.

Ordered that the above Resolve be sent to the Senate for their Concurrence, together with the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your Concurrence a Resolve of this House appointing John Hunt to settle and adjust the Public Accounts, &c., which passed this House some Days ago.

Resolved that the House will To-morrow proceed to read the "Bill to regulate & Establish a Militia in this State," and the "Bill to amend part of an Act entitled an Act for Emitting Eight hundred and Fifty Thousand Pounds," &c.

The House adjourned til Tomorrow Morning 9 o'clock.

THURSDAY, 11th February, 1779.

The House met according to Adjournment.

On motion, ordered that Mr. Hooper have leave to absent himself from the service of this House after To-morrow.

Resolved, that William Bryan have leave to resign his Command as Colo. of Johnston County, as also the office of a justice of the Peace.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen of the Senate:

This House have Resolved that William Bryan have leave to resign his Command as Colo. of Johnston County, as also the office of a justice of the Peace, agreeable to his request herewith sent you, and desire your Concurrence.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen of the House of Commons:

This House have ordered their Clerk to make up the Estimate of allowances to the members to Thursday inclusive.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen of the Senate:

This House have ordered their Clerk to make out the Estimate of allowances to include To-morrow.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen of the House of Commons:

Herewith you will receive a Resolve of this House for raising the Salaries of the Several Publick officers of this State.

At the rame time received the Resolve of the Senate referred to in the above Message, and the same being read was Rejected.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen of the Senate:

This House have received the Message and Resolve of yours raising the Salaries of the several Public officers of this State,

with which we cannot concur, but propose the one herewith sent, for your Concurrence, in lieu hereof.

Ordered that the following Resolve be sent to the Senate for their Concurrence:

Resolved, that each of the judges of the superior Courts shall attend four Courts at least of every Circuit of the Superior Courts, if not prevented by sickness, and each judge shall receive out of the public Treasury Two Thousand five Hundred pounds per annum. That the Attorney General be allowed Twelve Hundred pounds per annum, to commence from the date thereof.

The Bill to regulate & Establish a Militia in this State was read the third time, amended, passed and sent to the Senate.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen of the House of Commons:

We herewith send for your Concurrence a Resolve of this House allowing Whitmill Hill, Esquire, a certain sum of Money which he advanced to the volunteers and Balloted men of Martin County.

At the same time received the Resolve of the Senate referred to in the above Message, and the same being read was Concurred with.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen of the Senate:

We herewith return the Resolve of your House in favour of Whitmill Hill, Esqr., concurred with by this House.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen of the House of Commons:

We herewith send for your Concurrence the Report of the Committee appointed to re-examine the Accounts of Mr. Graham, Concurred with by this House.

At the same time received the Report of the Committee referred to in the above Message, and the same being read was Rejected.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen of the House of Commons:

We herewith send for your Concurrence a Resolve of this House in favour of Mr. William Amis.

At the same time received the Resolve of the Senate referred to in the above Message, and the same being read was Concurred with.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen of the Senate:

We herewith return the Resolve of your House in favour of William Amis, Concurred with.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen of the House of Commons:

This House concur with yours in ordering the Clerk to make out the Estimate to include To-morrow.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen of the House of Commons:

This House have received your Message permitting Mr. Bryan to resign the Command of Johnston County, and his office of a Justice of the Peace, with which we concur.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen of the House of Commons:

This House have received your Message appointing Mr. Hunt, Sole Auditor, &c., &c., and cannot Concur therewith, this House would wish to avoid giving the Public reasons to say "that instead of imploying men adequate to the service of the State we endeavour to render offices suitable to the convenience of Individuals." We hope the Commons will consider the Resolution of this House appointing three Auditors, & adopt the same, otherwise the Senate consider this as a protest against the proceedings of the Commons, who, from partiality to an Individual, deny Justice to the Public.

As the most cautious attention should be paid to the prevention of every circumstance which may have a possible direct or indi-

rect tendency to lessen the distinction which the Constitution of this State intends should be preserved betwixt the two branches of Legislation, and as an intercourse betwixt the Members of the twe Houses, when the Houses are sitting, may have a tendency to lessen that independent unbiased freedom of Debate which each respective House cught surely to preserve;

Resolved, therefore, that it be recommended to the Members of the House of Commons not to intermix with the Members of the Senate while the latter are upon business, nor to be present in the Senate House at such time, unless by order of, and in the conducting of the business of this House. Any person who shall disobey this recommendation is to be considered as tresspassing upon the priviledges of the Senate.

Resolved, that it be recommended by this House, to Mr. John Hunt, to proceed on the settlement of the public Accounts.

Mr. Johnston, from the Committee appointed to settle the accounts of Colonel Nicholas Long, Deputy Quarter Master General, Reported as follows:

That your Committee have examined the said account with the vouchers, and find that the said Col. Nicholas Long has paid and expended, on account of the publick, the sum of Thirty-five Thousand five Hundred and forty-six Pounds two Shillings and one penny. That he has received the sum of Twenty-four Thousand one Hundred & Sixty pounds seven Shillings & ten pence, and that there is a Balance due to him of Eleven Thousand three Hundred & Eighty-five pounds fourteen Shillings & three pence.

The House taking the said Report into consideration, Concurred therewith.

Ordered that the above Report be sent to the Senate for their Concurrence, together with the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your Concurrence the Report of the Committee appointed to settle the accounts of Nicholas Long, Esq., Deputy Quarter Master General, Concurred with by this House.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen of the House of Commons:

We herewith send for your Concurrence a Resolve of this House

for discharging a Certain Joshua Parker from the Continental Service.

At the same time received the Resolve of the Senate referred to in the above Message, and the same being read was concurred with.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen of the Senate:

We herewith return the Resolve of your House for discharging a certain Joshua Parker from the Continental Service, Concurred with by this House.

Resolved, that the plan of the Town of New Bern, established by an Act passed during the present Session, for the regulation of the said Town, be authenticated by a Certificate endorsed thereon, and signed by the Speakers of both Houses, and that the Certificate be in the following words:

We do hereby certify, agreeable to a Resolution of the General Assembly, dated the 11th Day of February, 1779, that this plan of the town of New Bern is one of the two plans to which the Act passed at the General Assembly held at Halifax Town in January, 1779, entitled an Act for the Regulation of the Town of New Bern, and for other purposes, refers.

Ordered that the above Resolve be sent to the Senate for their Concurrence, together with the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your Concurrence a Resolve of this House for authenticating the plan of the Town of New Bern by a Certificate endorsed thereon and signed by the Speakers of both Houses.

The House Adjourned til 4 o'Clock P. M.

The House met According to Adjournment.

The Bill to amend part of an Act entitled an Act for Emitting Eight Hundred & fifty Thousand Pounds in Bills of credit for discharging the Debts incurred by this State in raising men to re-inforce the Battalions belonging to this State in the Continental Army, for calling in all former Emissions, and other purposes, was read the third time, passed and sent to the Senate.

The Bill to prevent Stealing of Slaves, and for other purposes, was read the third time, passed and ordered to be Engrossed.

Resolved, that Benjamin Blount have leave to resign his Command as Colonel of Tyrrell County.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen of the Senate:

This House have Resolved that Benjamin Blount have leave to resign the office of Colonel of Tyrrell County & desire your Concurrence.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen of the House of Commons:

We herewith return the Report of the Committee appointed to settle the accounts of Nicholas Long, Esquire, Concurred with.

At the same time received the Report referred to in the above Message, Concurred with.

Received from the Senate the following Message:

Mr. Speaker and Gentlemen of the House of Commons:

We herewith return the Resolve of your House for authenticating the plan of the Town of New Bern, Concurred with.

At the same time received the Resolve of this House referred to in the above Message, Concurred with.

Mr. Lock moved for leave to enter his reasons of dissent against the Bill to prescribe the Affirmation of Allegiance and Fidelity to this State to be taken by the Unitas Fratrum or Moravians, Quakers, Mennonists, and Dunkards, and Granting them certain indulgencies therein mentioned, and other purposes.

Ordered that he have leave to enter his reasons of dissent To-morrow.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen of the House of Commons:

We concur with your Resolve relative to Mr Blount's resigning his Command in Tyrrell County.

Resolved that John Armstrong be allowed the sum of Thirty-four pounds two Shillings & Eight pence for sundries furnished the nine Month's men, &c. That the Treasurers or either of them pay him the same and be allowed.

Ordered that the above Resolve be sent to the Senate for their Concurrence, together with the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your Concurrence a Resolve of this House allowing John Armstrong a certain sum therein mentioned.

Mr. Mayo, from the Committee appointed to receive the old proclamation money, Reported that the Committee had attended on the Treasurer and received the sum of Twenty-two Thousand Seven Hundred and Ninety-one Pounds seven Shillings, which they had destroyed.

Received from the Committee the Reports of the Committee of Claims, which were read and Concurred with.

Mr. Hawkins, from the Committee appointed to take under consideration the Petition of Carlia Wollard and William Congleton, Reported as follows:

That it is the opinion of your Committee that James Bonner, jun., Seth Wilson, William Bonner, Christopher Cooper, Anthony Low, and A. Lewis, of Capt. Smaw's Company, in Beaufort County, were fairly Ballotted (on the day appointed) Soldiers on the Continental Army for Nine Months, that some time after the Board of officers in the County took upon themselves, for reasons unknown to your Committee, to discharge four of the men aforementioned and to point out the said Wollard and Congleton with two others to supply their places, contrary to the intent and meaning of the Act directing the method of Ballotting Soldiers. Your Committee are therefore of opinion that Col. Lamb should

be directed to discharge the said Wollard and Congleton and direct the Colonel of Beaufort to furnish him the two men that were fairly Ballotted.

All which is hereby submitted.

The House taking the said Report into Consideration, Concurred therewith.

Ordered that the above Report be sent to the Senate for their Concurrence, together with the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your Concurrence the Report of the Committee appointed to take under Consideration the Petition of Carlia Wollard and William Congleton, Concurred with by this House.

Resolved, that ———— Agerton, of Bute County, be allowed the sum of ten pounds for apprehending, taking and delivering over to a Continental officer, a Deserter from the Continental Army. That the Treasurers or either of them pay him the same and be allowed.

Ordered that the above Resolve be sent to the Senate for their Concurrence, together with the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your Concurrence a Resolve of this House in favour of ———— Agerton.

Resolved, that William Wilkinson be allowed the sum of Ninety-one pounds three Shillings and nine pence one farthing, for that sum allowed him by the Congress at Halifax, November, 1776, for which a Certificate hath not been issued, as appears by the Report of the Committee of Accounts. That the Treasurers or either of them pay him the same and be allowed.

Ordered that the above Resolve be sent to the Senate for their Concurrence, together with the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your Concurrence a Resolve of this House in favour of Mr. William Wilkinson.

The House adjourned till To-morrow morning 9 o'clock.

FRIDAY, 12th February, 1779.

The House met according to Adjournment.

Mr. Cogdell, from the Committee to whom the accounts of Capt. Christopher Dudley, one of the Superintendants for the Salt Petre Works, was referred, Reported as follows:

That the Committee having examined the same, together with the vouchers, find a Balance due from said Dudley to the Public of two Hundred and twenty-seven pounds two Shillings and four pence.

All which is submitted.

The House taking the said Report into Consideration, Concurred therewith.

Ordered that the above Report be sent to the Senate for their Concurrence, together with the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your Concurrence the Report of the Committee appointed to examine the accounts of Capt. Christopher Dudley, Concurred with by this House.

Resolved, that Capt. Nathan Williams be allowed the sum of Twenty-seven pounds seven Shillings and Eight pence, for sundries furnished Colo. Caswell's Regiment, on the Expedition to Moore's Creek. That the Treasurers, or either of them, pay him the same and be allowed.

Ordered that the above Resolve be sent to the Senate for their Concurrence, together with the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your Concurrence a Resolve of this House allowing Nathan Williams a certain sum therein mentioned.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen of the House of Commons:

You will with this Receive a Resolve of this House for discharging the light Dragoons, raised by this State, &c.

At the same time received the Resolve of the Senate referred to in the above Message, and the same being read was Concurred with.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen of the Senate:

We herewith return the Resolve of your House for discharging the light Dragoons, raised by this State, Concurred with.

The Honbl. Speaker laid before the House a Letter from the Frontier, &c., and the same being read was referred to a Committee.

Resolved, that Mr. Hooper, Mr. Hawkins and Mr. Johnston, be a Committee, on the part of this House, for the purposes aforesaid.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen of the Senate:

This House have appointed Mr. Hooper, Mr. Hawkins and Mr. Johnston, to Act jointly with such of your House as you may appoint to examine and Report upon the Letter herewith sent you.

This House, above all private considerations, are disposed to part with opinions framed upon mature deliberation in order to harmonize with the Senate, when their Concurrence is necessary to effect the very necessary purpose of continuing an establishment of the Courts of Law in this State, and

Have Resolved that the Governor shall receive three Thousand pounds for the ensuing Year, the Council four pounds per Day during the time of their service, the Secretary one Thousand pounds, the Judges two Hundred and fifty pounds for every Court they shall attend, the Attorney General one Thousand pounds, the Treasurers two Thousand pounds, and ask your Concurrence.

Ordered that the above Resolve be sent to the Senate for their Concurrence, together with the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your Concurrence a Resolve of this House ascertaining the Salaries of the Governor, Secretary, Judges of the Superior Courts, Attorney General and Treasurers, also the Daily pay of the Members of the Council of State.

The Bill for raising Forces for the Defence of this State, and

other purposes, was read the third time, amended, passed and sent to the Senate.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen of the House of Commons:

We herewith send for your Concurrence a Resolve of this House for disarming the disaffected persons in this State.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen of the House of Commons:

We herewith send for your Concurrence a Resolve of this House appointing Col. David Smith, Commandant Colonel of Cumberland County, for a Certain time.

At the same time received the Resolves of the Senate referred to in the above Message, and the same being read were Concurred with.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen of the Senate:

We herewith return the Resolve of your House appointing Colo. David Smith, Commandant Colo. of Cumberland County, and the Resolve for disarming the disaffected persons in this State, Concurred with.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen of the House of Commons:

We have appointed Colo. Graham and Mr. Shepperd, to act with the Gentlemen by you appointed, to consider & Report upon sundry Letters, &c.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen of the House of Commons:

We herewith return the Resolve of your House in favour of Capt. Nathan Williams, Concurred with.

We also concur with the Beport of the Committee relative to Mr. Christopher Dudley.

We also Conour with your Resolve in favour of John Armstrong.

You will likewise receive your Resolve in favour of Agerton, Concurred with.

The Resolve in favour of William Wilkinson, we likewise Concur with, and we likewise Concur with the Report of the Committee relative to Carlia Wollard and William Congleton.

At the same time Received the several Resolves of this House and the Reports of the Committees referred to in the above Message, Concurred with.

The Reports of the Committee of Accounts were Read & Concurred with.

Mr. Respass, one of the Members of the Senate, informed the House that one other Member of the Senate was appointed to assist in examining the Engrossed Bills.

Ordered that Mr. Hawkins be appointed of this House for the purpose aforesaid.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen of the House of Commons:

This House have received your Message respecting the Salaries of the most important officers of this State.

We admit your House *above all private Considerations*, and only inform you that a Resolve of this House of the Tenth instant for granting allowances to all the officers you mention is now lying in your House for Concurrence.

The House resumed the Consideration of the Resolve of the Senate, ascertaining the Salaries of the Several State officers, &c., Concurred with.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen of the Senate:

This House have resumed the Consideration of the Resolve of your House ascertaining the pay of the several State Officers, which we herewith return you, Concurred with.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen of the House of Commons:

We herewith send, for your Concurrence, the Report of the Committee appointed to examine the Accounts of Thomas Craike, Esqr., Concurred with by this House.

At the same time received the Report referred to in the above Message, and the same, being read, was Concurred with.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen of the Senate:

We herewith return the Report of the Committee appointed to examine the Accounts of Thomas Craike, Esqr., Concurred with.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen of the House of Commons:

Herewith you will receive a Resolve of this House for Conveying Powder, &c., to Salisbury, which we send for your Concurrence.

At the same time received the Resolve referred to in the above Message, which, being read, was concurred with.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen of the Senate:

We herewith return the Resolve of your House for conveying powder, &c., to Salisbury, Concurred with.

Resolved, that Thomas Craike, Esqr., Commissary of Stores, be allowed the sum of Five Thousand four Hundred & Forty-three pounds one Shilling and three pence, for Commissions on sundry purchases for the Publick, and the pay of Deputy Commissaries, &c. That the Treasurers or either of them pay him the same and be allowed.

Ordered that the above Resolve be sent to the Senate, for their Concurrence, together with the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send, for your Concurrence, a Resolve of this House allowing Thomas Craike, Esqr., Commissary of Stores, a certain sum therein mentioned.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen of the House of Commons:

You will, with this, receive the Resolve of your House in favour of Thomas Craike, Esqr., Concurred with.

At the same time received the Resolve of this House referred to in the above Message, Concurred with.

Resolved, that General William Skinner be allowed the sum of three Hundred pounds for his Extraordinary trouble and expence and attendance on the present Session of Assembly, and to defray the expence of House rent, &c.

Ordered that the above Resolve be sent to the Senate, for their Concurrence, together with the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send, for your Concurrence, a Resolve of this House allowing General William Skinner a certain sum therein mentioned.

Mr. Hooper, from the joint Committee appointed to take into Consideration divers Letters & papers containing information of an Insurrection in the County of Tryon, Reported as follows:

That it will be necessary to appoint a Brigadier General for the District of Salisbury pro tempore, (as Brigadier General Rutherford is on service to the Southward) to take command of the Militia of that District.

That one Thousand of the Salisbury Militia be immediately imbodied, that of this number three hundred shall be light Horse.

That seven hundred of the Militia be imbodied from the District of Hillsborough, of which one Hundred shall be light Horse.

That two Hundred light Horse be immediately raised from the District of Halifax.

That one-fourth of the Militia of Wilmington be imbodied, and one-fourth part of these to be light Horse.

That in case of not being able otherwise to obtain Horses, for the use of the light Horsemen, the officers, upon such deficiency,

may apply to two Magistrates of the County, who are hereby impowered to issue a warrant of impress to such officer, who may execute it upon any person having Horse or Horses, which may be spared, without distressing him in making necessary subsistence for himself and Family.

Any Horse or Horses lent or impressed shall be valued by two Freeholders, one of which shall be nominated by the party and the other by the Magistrates, and such valuation shall be paid to the person or persons whose Horse or Horses are thus impressed or lent, provided such Horse or Horses shall be lost, die or be disabled in the service. And that the owner of such Horse or Horses shall be entitled to eight Shillings per Day for the use of them.

That the Field officers and Captain of the Militia be impowered to impress, where they cannot be borrowed or hired, and the valuation of Arms shall be in the same manner as that of Horses.

That the Governor be impowered to imbody a force additional to the above, or to lessen that number, as exigencies or change of Circumstances make it proper. That he dispatch ammunition to the Western & Southern parts of this State, and wherever else he may think necessary, for the General safety of this State, and that he do in all things exercise the executive powers of this Government to put a speedy and happy decision to this Insurrection.

That it be proposed to the Assembly to appoint officers to the Horse.

That Mr. Matthew Locke be appointed Brigadier General of the District of Salisbury pro tempore, that he immediately proceed on the Execution of the office of Brigadier General, as aforesaid, and that a Certificate of his appointment, signed by the Speakers of both Houses, shall be his Commission and a sufficient warrant for his exercising the rights and assuming the Rank incident to the office, provided that nothing herein contained shall be construed to hinder Brigadier General Butler, or any other Brigadier General, from taking the Command of the Forces raised on this occasion, in case the Governor should think proper to appoint him, or either of them, to the same.

The house taking the said Report into consideration, concurred therewith.

Ordered that the above Resolve be sent to the Senate, for their Concurrence, together with the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send, for your Concurrence, the Report of the Committee appointed to consider and Report upon the Letters from the Frontiers, &c., Concurred with by this House.

Resolved, That it be recommended to the Governor immediately to dispatch a sum of Money to Brigadier General Locke, for the purposes of beginning the March of the Militia of Salisbury District and making the necessary preparations for the defence of the Frontiers of this State.

That he send such Money, under a good and sufficient Guard, thro' the Country, and that the Governor be impowered to Draw upon the Treasury for such further sums as shall be necessary to carry the plan of opposition to the Enemy into Execution.

That he issue a Commission of Brigadier General to Alexander Lillington, Esquire, for the District of Wilmington, and take the most effectual measures to prevent any impression being made in that quarter by the Enemies Ships, or by them with the concurring aid of the disaffected inhabitants of this State.

Resolved, that the Brigadier Generals of the Districts of Salisbury, Hillsborough, Halifax and Wilmington, appoint a Commissary, to supply the Troops now ordered into service, each for their respective districts, and that such Commissary apply to the Governor for his orders, as well as Money to make the necessary purchases.

Resolved, that the Governor be desired to issue to the Brigadier Generals of Hillsborough, Halifax and Wilmington, such sums of Money, and such orders, as may be necessary to expedite and make effectual the intended opposition to the Enemy.

Ordered that the above Resolves be sent to the Senate, for their Concurrence, together with the following Message:

Mr. Speaker & Gentlemen of the House of Commons:

We herewith send, for your Concurrence, a Resolve of this House recommending to His Excellency the Governor to dispatch a sum of Money to Brigadier General Locke, for the purposes of beginning the March of the Militia, &c.

Resolved, that the Speakers of the Assembly write to the Governor of this State and transmit him the information this day obtained from Tryon County, and from other parts of the State,

relative to an Insurrection begun, and that they do also write to the Governor of Virginia, stating particularly the exigencies of this and the Southern States, and urging the progress of the Virginia Troops.

Ordered that the above Resolve be sent to the Senate, for their Concurrence, together with the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send, for your Concurrence, a Resolve of this House requesting the Speakers of both Houses to send Expresses to Governor Caswell and the Governor of Virginia, for purposes therein mentioned.

Resolved, that it be recommended to His Excellency the Governor to send the British prisoners, now in Johnston County, to some place of safety, and where nothing is to be apprehended from their insidious attempts to disaffect the subjects of this State or to remove their Slaves.

Ordered that the above Resolve, together with the following Message, be sent to the Senate:

Mr. Speaker & Gentlemen of the Senate:

We herewith send, for your Concurrence, a Resolve of this House recommending to his Excellency the Governor to move certain prisoners now in Johnston County.

Resolved, that the Commissary of Stores be directed to furnish two Hundred weight of Powder, and Lead in proportion, to Colo. John Whitaker, for the use of the light Horse to be raised in the District of Halifax.

Ordered that the above Resolve be sent to the Senate, for their Concurrence, together with the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send, for your Concurrence, a Resolve of this House directing the Commissary of Stores to deliver Colonel John Whitaker a quantity of ammunition.

Resolved, that it be recommended to the justices of the Peace of the respective Counties to seize and secure, and even to place at a distance from their places of residence, all disaffected persons who, not satisfied with entertaining sentiments inimical to the Country,

may be justly suspected of a disposition to carry those sentiments into execution, and that they may be impowered also to order the Sheriff, with a posse Comitatus, to disarm all persons from whom any injury to the publick safety is to be apprehended. That this shall not be executed but by a Warrant, signed by three Magistrates at least, upon due proof made, and the Colonels of the respective Regiments are directed to furnish every possible assistance to carry this into execution.

Ordered that the above Resolve be sent to the Senate, for their Concurrence, together with the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send, for your Concurrence, a Resolve of this House impowering the Justices within the several Counties in this State to seize and secure disaffected persons, &c.

Resolved, that John Whitaker be appointed Colonel, and Robert Peebles, Major, of the two Hundred Light Horse directed to be raised in the District of Halifax, and that the Brigadier General of the District be directed to apportion the number two Hundred to the several Counties, and issue immediate orders for enlisting volunteers or making Drafts agreeable to the Militia Law, to the necessary amount from each County, and that he also ascertain how many Captains or other Inferior officers each County shall furnish for the Command of the said Light Horse, allowing one Captain, one Lieutenant and one Cornet to every thirty privates, and the Field officers in the respective Counties shall thereupon appoint the officers accordingly.

Resolved, that Absolom Tatum be appointed Major of one Hundred Light Horse, to be raised in the District of Hillsborough, and the following Persons Subalterns, to-wit:

Thomas Satterwhite, Captain.
Solomon Walker, Lieutenant, Granville.
John Taylor, Cornet.
Mark Patterson, Captain.
Nathan King, Lieutenant, Orange.
Joseph Barberry, Cornet.
Jeremiah Williamson, Captain.
David Michell, Lieutenant, Caswell.
John Rhodes, Cornet.

Resolved, that Benjamin Cleveland be appointed Colonel, William Shepperd Lieutenant Colonel, and Joseph Hardin Major, of the three Hundred Light Horse, to be raised in the District of Salisbury, and the following Persons Subalterns, to-wit:

John Cruth, Captain, Anson.
David Wilson, Captain, Mecklenburg.
Thomas Harris, Captain.
Moses Grist, Captain, Wilkes.
John Horn, Captain, Surry.
William Hardin, Captain.
John Cruth, Captain, Tryon.
Francis Cunningham, Burke.

Resolved, that the Brigadier General in the District of Wilmington take such steps for the appointment of the officers necessary for the Command of the light Horse, to be raised therein, as to him shall appear proper and necessary.

Resolved, that Certificates of the appointment of the Colonels, Lieutenant Colonels and Majors of the light Horse, now voted for the service of this State, be signed by the Speakers of both Houses, which Certificates shall operate as Commissions, and shall invest the said officers with all the Rank and power, which they could or might have, under Commissions from His Excellency the Governor, and that the Brigadier Generals, in their respective Districts, grant Certificates of the appointment of the Inferior officers, which Certificates shall have the same operation as those signed by the two Speakers, in manner aforesaid.

Resolved, that the Brigadier General for the Districts of Hillsborough, Salisbury and Wilmington, apportion the light Horse, directed to be raised in the several Counties in those Districts, in the same manner as before Directed for the District of Halifax.

Resolved, that a Colonel of the light Horse shall be entitled to seven Dollars per Day; a Lieutenant Colonel and Major, Six Dollars per Day, and Forage and Shoes for their Horses, together with the same Rations which are allowed by Law to Militia officers of the same Denominations.

Ordered that the above Resolve be sent to the Senate, for their Concurrence, together with the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send, for your Concurrence, a Resolve of this House, appointing officers to Command the Light Horse to be raised, &c.

Resolved, that Nicholas Long, Esquire, be directed to send to Virginia, immediately, for all the Fire Arms in that Commonwealth, which belong to this State, and that he have the same repaired as expeditiously as possible when they arrive, for the use of the Militia.

Ordered that the above Resolve be sent to the Senate, for their Concurrence, together with the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send, for your Concurrence, a Resolve of this House directing Colonel Nicholas Long to send to Virginia for Fire Arms, &c., belonging to this State.

Resolved, unanimously, that the following Message be sent to the Senate, in answer to their Message of yesterday, with respect to the appointment of an Auditor:

Mr. Speaker & Gentlemen of the Senate:

This House observe, with extreme concern, that you have drawn private resentment into your Public Councils, and have deviated so far from the Dignity of Senators as to reject a measure of General Utility from ill grounded prejudices to an Individual.

Indecency of expression in private life is culpable, in public it becomes highly Criminal.

In the first, it wounds the feelings of Individuals and sullies the most benevolent intentions; but in the latter, in addition to these, it calls forth a warmth into the public deliberations which prevents that reciprocal condescension which produces mutual information and leads to measures of wisdom and General utility.

It had been happy for the Senate, if, in their enthusiastic spirit of reprehension, their zeal had not transplanted them beyond the bounds which Legislative bodies have heretofore prescribed as rules of practical procedure.

But it is with reformers in politics, as it is with those in religion, they despise knowledge that results from the experience of others and value themselves upon the powers of Invention.

A Body of the Legislature protesting in form against the proceedings of the other branch, is a doctrine hitherto unheard of, it must mark the genius of the present age, and the Senate of North Carolina will have the honor of the sagacious discovery. For a Member of the Assembly to protest against the proceedings of the House in which he sits is founded in the Strictest propriety and vindicated by our Constitution. It gives him an opportunity to exempt himself from the imputation of Measures which he disapproves and serves to discriminate him from the Majority with whom he must have been confounded by persons abroad, unless he availed himself of this mode to give them information of his real sentiments. But for a Senate to protest against the proceedings of the Commons, of which they were not a part, to avoid censure for a Conduct which it was impossible they should take a share in, to arraign an Independent branch of the Legislature because they dared to differ in opinion with them, has the Badge of novelty at least.

The appointment of Mr. Hunt was, in consequence of an experiment made of his capacity to perform the trust reposed in him, a preference that was in a measure justified by the opinion of Gentlemen whose competency the Commons would not have hesitated to pronounce decided, if the Senate had not indirectly called it in question.

How far the appointment of three is an improvement of the plan of the board of Auditors, let the public, to whom you have referred us, decide.

If that precise number has particular virtues the secret is with the Senate, reason in this case is against it; of the three the Senate nominated, one at least must have attended at a distance from his own home and be exposed to an expence for his subsistence that his allowance would not have supported. This is one of those trusts which does not require numbers to execute it; consistency of design and execution is certain where an Individual only is concerned in the arrangement of accounts, but where many are employed it leads to perplexity from the different practical modes which each is desirous to procure.

While you charge the Commons with fitting offices to men, and sacrificing the justice due their Country to a partiality to individuals, one cannot but admire the more enlarged benevolence of the

Senate, which is not restrained to an individual but comprehends a larger scope of merit by making the public purse more extensively beneficial.

This House, with pleasure, bears testimony to the merit of the characters you have nominated, for it would give pungent distress to the Commons could they be suspected of depreciating private worth to defeat a public intention.

In this the Senate must pardon a small deviation from their Example. How far the Senate may think themselves vindicated in dispensing with an express article of the Constitution by appointing a Gentleman to a lucrative office who was in possession of one under the same denomination before, they can best explain, they may perhaps be able to reconcile it to themselves, but will hardly prevail upon the individual to contrast his own political feelings and to risque the loss of an established permanent office for one whose duration may much depend upon the opinion of those who originated his appointment.

The Commons regret that they have been drawn into this recrimination. To have been silent might have been construed as an acquiescence under your charge from a conviction of its truth. It might have induced the Senate to persist in this mode of protest from a belief of its regularity, and drawn into question their legislatorial abilities with men abroad who might not have charity enough to give them so large a credit upon the score of inadvertence and precipitation as their friend the Commons are disposed to give. Silence might have drawn them on to the further assumption of censorial powers which might have struck at the Independence of each respective body of legislation and infringed the pure principles of the Constitution.

To say more is unnecessary, to have said less might have betrayed an unpolitical inattention to a Message fraught with exalted patriotick zeal, and deprived the shining example of watchfulness for the public good of its proper panegyrick.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen of the House of Commons:

Herewith you will receive the Report of the Committee appointed to consider and Report upon the Letters from the Frontiers, &c., Concurred with.

At the same time received the Report from the Committee, referred to in the above Message, Concurred with.

Received from the Senate the following Messages:

Mr. Speaker & Gentlemen of the House of Commons:

We herewith return the Resolve of your House recommending to the Governor to send a sum of Money to Brigadier General Locke, for the purposes therein mentioned, Concurred with.

Mr. Speaker & Gentlemen of the House of Commons:

We herewith return the Resolve of your House, appointing officers to the Command of the Light Horse to be raised, &c., Concurred with by this House.

Mr. Speaker & Gentlemen of the House of Commons:

We herewith return the Resolve of your House, impowering the justices in the several Counties in this State to secure disaffected persons, Concurred with.

We likewise Concur with your Resolve in favour of General Skinner.

Mr. Speaker & Gentlemen of the House of Commons:

Your Resolve, requesting the Speakers of both Houses to send Expresses to Governor Caswell, &c., you'l herewith receive, Concurred with.

Mr. Speaker & Gentlemen of the House of Commons:

We herewith return the Resolve of your House, for removing certain prisoners, Concurred with.

Mr. Speaker & Gentlemen of the House of Commons:

You will, with this, receive the Resolve of your House, directing the Commissary of Stores to deliver Ammunition, &c., to Colo. Whitaker, Concurred with.

At the same time received the several Resolves of this House, referred to in the above Message, Concurred with.

The House Adjourned til To-morrow Morning 7 O'Clock.

SATURDAY, the 13th February, 1779.

The House met according to Adjournment.

Resolved, that the printer be and he is hereby directed to print immediately Copies of the Militia and aid Acts and Resolves relative to raising Forces to quell the present Insurrection, and that he transmit a copy of each to the Brigadier Generals in their respective Districts, for which he shall be allowed extraordinary.

Ordered that the above Resolve be sent to the Senate for their Concurrence, together with the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send, for your Concurrence, a Resolve of this House directing the Printer to print certain Acts of the Assembly and transmit to the respective Districts immediately.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen of the House of Commons:

We herewith send, for your Concurrence, a Resolve of this House appointing persons to examine & receive the Acts of Assembly.

At the same time received the Resolves of the Senate referred to in the above Message, and the same being read, was Concurred with.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen of the Senate:

We herewith return the Resolve of your House appointing Gentlemen to receive and prepare for the press the Acts of the Assembly, Concurred with.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen of the House of Commons:

We herewith return you the Resolve of your House directing the printer to strike off certain Acts, &c., with which we Concur.

At the same time received the Resolve of this House referred to in the above Message, Concurred with.

The business of the Session being ended,

Resolved, that the Speaker sign the several Acts as the acts of the Assembly, and the Journals as the Acts of this House.

Resolved, that the thanks of this House be given to the Honbl. Thomas Benbury, Esquire, for his able, faithful and public spirited services as Speaker.

By order of

JOHN HUNT, C. H. C. THOMAS BENBURY, S. C.

A List of papers laid before the General Assembly at their Sessions in January, 1779.

RESOLVES OF CONGRESS.

1. Respecting the Exportation of Grain from this to the Eastern States.
2. For sending 400,000 Dollars into this State for raising and Equipping Cont. Battalions.
3. Providing for maimed seamen and Soldiers.
4. Raising an Aid of 3,000 Men for Southern States.
5. Requiring Troops to be sent on with the Additional Aid of 2,000 Men.
6. For establishing Comptrollers, Auditors and Treas. officers.
7. Respecting the purchasing of Cannon.
8. Concerning the procuring provisions.
9. Respecting Shipping Provisions.
10. Loan Office Certificates & Money.
11. Recommending the Promotion of Religion and Piety.
12. Relating to Flaggs of Truce with Manifestoes.
13. To Quarter Master & Com'ys department.
14. Reduction of Florida.
15. Arrangement of the Army.
16. Procuring Forage.

LETTERS FROM:

1. Mr. Harnett concerning the Public Acc'ts.
2. Mr. Penn accompaning the 400,000 dollars.
3. Mr. Harnett relating to the Public Acc'ts.
4. The Delegates relating to the 500,000 dollars.
5. President of Congress inclosing the requisition of Aid.
6. Mr. Harnett respecting Money.
7. President of Congress inclosing 2nd Aid.

8. Committee of Congress respecting public officers.
9. President of Congress in favor of Gen. Lincoln.
10. Governor Henry requiring Galley Caswell.
11. Gen. Lincoln concerning the Enemy.
12. Governor Lowndes concerning the Enemy.
13. Gen. Lincoln inclosing Desposation & Extracts from Lord Sterling's Letter.
14. Governer Lowndes concerning the Enemy.
15. Robert Palmer concerning Confiscation Act.
16. James Iredell's resignation.

State of North Carolina's Acct's. with Cont. Treasury.

Memorial of John London.

Memorial of Robert Ellis.

2 Copies Articles of Alliance & Union with France.

1 Manifestoe Proclamation from the British Commissioners sent by Flagg.

1 Packet of Manifestoes & proclamations.

COUNCIL PAPERS.

1. Colonel Charriol's Acc'ts, and Vouchers.
2. John C. Bryan's Acct's.
3. Capt. Cottineau's Actt's.
4. George Harrison's Letters.
5. Joseph Johnston's Petition.
6. Samuel Crabtree's Case.
7. Farq'd. Campbell's Deposition.
8. Matthew Sharpe's Affidavits.
9. Burgwin, Hogg and Marshall's Petition.
10. James McKay's Petition.
11. Inhabitants of Roanoke Island & Hatteras, Petition.
12. Papers from George Cavey, Master of the Flag.
13. John Harper's Petition.
14. General Ashe's Letter 24 Dec., 1779.
15. Colonel William Thomson's Acc't.
16. Letters from the Governor of Virginia requiring an Aid to reduce the Chickamaga Settlements.

17. Copy Act of Assembly Virg. for appointing Com. to establish the Western Boundary between No. Car. & Vir.

18. Petition of Thomas Saint.

19. Petition of Hardy Jones concerning John Zach's Grant for Land in Rowan County.

20. Resignation of Major James Smith of Rowan.

SENATE JOURNAL.

State of North Carolina.
In Senate 3d May, 1779.

At a General Assembly begun and holden at Smithfield, on the third day of May, in the year of our Lord One thousand seven Hundred and Seventy-nine, and in the third year of the Independence of the said State, being the first Session of this Assembly.

The returning Officers for the several Counties within this State certified that the following persons were duly Elected to represent said Counties in Senate to-wit, for the County of Anson :

Anson—John Childs.
Brunswick—
Beaufort—Thomas Respass, junr.
Bladen—Thomas Owen.
Bertie—Jasper Charlton.
Burke—Ephraim McLean.
Craven—
Chowan—Samuel Johnston.
Cumberland—
Chatham—Ambrose Ramsay.
Currituck—
Camden—John Gray.
Carteret—William Thompson.
Caswell—
Dobbs—Benjamin Exum.
Duplin—James Kenan.
Edgecombe—Elisha Battle.
Franklin—Benj. Seawell.
Granville—Memucan Hunt.
Guilford—
Gates—
Hertford—George Wynn.
Hyde—
Halifax—Oroondates Davis.
Johnston—Samuel Smith.
Jones—
Lincoln—William Graham.

Martin—Kenneth McKenzie.
Montgomery—
Mecklenburg—Robert Irwin.
Nash—Nathan Boddie.
New Hanover—John Devane.
Northampton—Allen Jones.
Orange—John Hogan.
Onslow—Henry Rhodes.
Perquimans—
Pasquotank—Thomas Relfe.
Pitt—Edward Salter.
Rutherford—
Randolph—John Collier.
Rowan—Griffith Rutherford.
Surry—
Tyrrell—
Wilkes—
Washington—
Warren—John Faulcon.
Wake—John Rand.

Whereupon the followiug Members appeared, qualified agreeable to Law, & took their Seats, to-wit:

Messrs. John Childs, Benjamin Exum, Elisha Battle, Memucan Hunt, Nathan Boddie, Allen Jones, Henry Rhodes, Griffith Rhodes, John Rand, Thomas Owen, Ephraim McLean, Ambrose Ramsay, John Gray, James Kenan, Benjamin Seawell, Oroondates Davis, Kenneth McKenzie, Robert Irwin, John Devane, John Hogan, Edward Salter, John Collier, John Faulcon & Samuel Smith.

The House then proceeded to the Choice of a Speaker, when Allen Jones, Esquire, was unanimously Chosen, and placed in the Chair accordingly.

John Sitgreaves was appointed Clerk & John Heywood, Assistant Clerk, who qualified accordingly.

William Murphy & William Rigney Murphy, Door Keepers.

Received from the Commons the following Message:

Mr. Speaker and Gentlemen of the Senate:

This House being now formed, acquaint you that they are ready to proceed on the dispatch of public Business.

Ordered that the following message be addressed to His Excellency the Governor.

To His Excellency, R. Caswell, Esquire, Governor:

The General Assembly being now formed acquaint your Excellency that they are ready to take under Consideration such Business as your Excellency may think proper to lay before them.

Ordered that the above, together with the following Message, be sent to the House of Commons:

Mr. Speaker & Gentlemen of the House of Commons:

In answer to yours we inform you that this House is likewise formed & ready to proceed on Business & propose that the Address herewith sent you be presented to His Excellency the Governor.

Ordered that the following Message be sent to the House of Commons:

Mr. Speaker & Gentlemen of the House of Commons:

This House propose, if agreeable to the House of Commons, to Ballot, at five o'clock this Evening, for a Governor & Council of State, & put in nomination for a Governor, Richard Caswell, Esq.; for Council of State, Joseph Leech, Robert Bignall, John Simpson, William Bryan, John Sampson, William Whitfield and John Spicer.

Should your House accede to this Measure, you will signify the same by Message.

Received from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

This House have received the Message of yours proposing to Ballot, at 5. o'clock this Evening, for a Governor & Council of State, to which we concur, & do on our part put in nomination for Governor, Richard Caswell, Esquire; for a Council of State, Joseph Leech, Robert Bignall, John Simpson, William Whitfield, Isaac Guion, Henry Rhodes, John Sampson and John Spicer, Esqs.

This House have appointed Mr. Person & Mr. Bloodworth, to superintend the Balloting, on our part.

Ordered that Messrs. Exum & Seawell superintend the Balloting on the part of this House.

Received from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your Concurrence a Resolve of this House appointing a Chaplain to the present General Assembly.

At the same time Received the Resolve of the Commons referred to in the foregoing Message, which being read was concurred with.

Ordered that the following Message be sent to the House of Commons, together with the foregoing Resolve:

Mr. Speaker and Gentlemen of the House of Commons:

We herewith return your Resolve appointing the Reverend Mr. Cuffles, Chaplain to the present General Assembly, concurred with.

Mr. Seawell, one of the Gentlemen who was appointed on the part of this House to superintend the Balloting for a Governor & Council of State, Reported that Richard Caswell, Esq., was unanimously elected Governor and Joseph Leech, Robert Bignall, John Sampson, John Simpson, Thomas Respass, Isaac Guion and William Whitfield, Esquires, Councellors of State, by a Majority of votes of both Houses.

Received from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your Concurrence a Message addressed to His Excellency the Governor, should you concur therewith you'll send one of your Members with Mr. Person, who is appointed by this House, to wait on His Excellency with the same.

At the same time received the Message addressed to His Excellency the Governor, which being read was Concurred with.

Colo. Rhodes, on the part of this House, appointed to wait on His Excellency with the address.

The House Adjourned till To-morrow Morning 9 o'Clock.

Tuesday, 4th May, 1779.

The House met according to adjournment.

Resolved, that the Treasurers of this State receive from the Sheriffs, Collectors or Entry Takers, of the several Counties, all Continental Monies of the Emission of May 20th, 1777, and April 11th, 1776, which the said Sheriffs, Collectors or Entry Takers may have taken in payment of Taxes, and exchange the same for Loan Office Certificates, for the use of this State.

Resolved, also that the Treasurers lay before the next General Assembly an Account of all monies so exchanged.

Ordered that the above Resolve, together with the following Message, be sent to the House of Commons:

Mr. Speaker & Gentlemen of the House of Commons:

We herewith send for your Concurrence a Resolve of this House empowering the Treasurers to receive of the Sheriffs & Collectors the Emissions of 20th May, 1777, and 11th of April, 1776.

Whereas, a number of persons are waiting on this Assembly to have their Claims allowed, which, if not done, may have a Tendency to destroy the Faith and Credit of the public,

Resolved, therefore, that General Rutherford, Oroondates Davis and John Rand, Esqs., be a Committee, to act with the Gentlemen appointed by the House of Commons, to receive and pass the public Claims at Colo. William Bryan's, and that Colo. Kenan, Colo. Rhodes, Major Owen & Mr. McKenzie, be a Committee, to act with the Gentlemen appointed by the House of Commons, to receive and pass Claims at Mr. Needham Bryan's, and that Mr. Ramsay, Mr. Hogan & Mr. Seawell, be a Committee, to act with the Gentlemen appointed by the Commons, to receive and pass Claims at Mr. John Smith's, and that Mr. Exum, Mr. Faulcon, Mr. Salter & Mr. Hunt, be a Committee, to act with the Gentlemen appointed by the Commons as a Committee of Accounts, to sit at Mr. John Smith's.

Ordered that the above Resolve, together with the following Message, be sent to the Commons:

Mr. Speaker & Gentlemen of the House of Commons:

We herewith send for your Concurrence a Resolve of this House appointing Committees of Claims & Accounts.

Received from the Commons the following Message :

Mr. Speaker & Gentlemen of the Senate :

Herewith you will receive a Message from His Excellency the Governor addressed to the General Assembly.

At the same time received the Message therein referred to, which was read and filed.

Received from the Commons the following Message :

Mr. Speaker & Gentlemen of the Senate :

This House have received the Resolve of yours appointing Committees of Claims and Accounts, to act with such Gentlemen of this House as might be appointed for those purposes, And have appointed Mr. Cogdell, Mr. Clinton, Mr. Phifer, Mr. Hines, Mr. Montfort, Mr. Wilson & Mr, Campbell, to act with the Gentlemen by you appointed, to settle and allow Claims at Colo. Bryan's, and Mr. Horn, Mr. Hunter, Mr. Macon, Mr. Boyd, Mr. McCawley, Mr. Vaughn & Mr. Joseph Hawkins, to act with the Gentlemen by you appointed, to settle & allow Claims at Mr. John Smith's, And Mr. Cain, Mr. Howard, Mr. Williams, Mr. Gillespie, Mr. Cochran & Mr. Brown, to act with the Gentlemen by you appointed, to settle & allow Claims at Mr. Needham Bryan's, And Mr. Person, Mr. G. Hill, Mr. T. Gray & Mr. P. Hawkins, to act with the Gentlemen by you appointed as a Committee of Accounts.

Resolved, that Messrs. Davis, Irwin & Salter, be appointed to act with such Gentlemen as the House of Commons shall think proper to appoint as a Committee to consider of and report what Salaries or allowances are proper to be allowed the Governor, Continental Delegates, Attorney General, & States Attorney for the several Counties, Members of the Council of State, Secretary, Treasurers and public printers.

Ordered that the above Resolve, together with the following Message, be sent to the House of Commons :

Mr. Speaker and Gentlemen of the House of Commons :

We herewith send for your Concurrence a Resolve of this House appointing a Committee to act with such Gentlemen as your House may think proper to appoint to consider of the Salaries of the several public Officers of State :

Received from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

This House have received a Message from His Excellency the Governor addressed to the General Assembly, together with the sundry Letters & other papers therein referred to, which we herewith send for your perusal.

At the same time Received the Message from His Excellency the Governor, together with sundry Letters and other papers, which were read.

Received from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

This House have received the Message & Resolve of yours appointing certain Gentlemen therein mentioned, to act jointly with such as might be appointed by this House, as a Committee to consider of the Salaries of the several State Officers, And have for that purpose, on their part, appointed Mr. Haywood, Mr. Person, Mr. G. Hill, Mr. P. Hawkins, Mr. Campbell, Mr. Bloodworth, Mr. Gorham and Mr. Hinton, a Committee.

Mr. Thomas Respass appeared, qualified agreeable to Law and took his seat.

The House adjourned till To-morrow Morning 9 o'Clock.

Wednesday, 5th May, 1779.

The House met according to Adjournment.

Mr. George Wynn appeared, qualified agreeable to Law & took his Seat.

Ordered that no Bills except of a public nature be received in this House during this present Session of Assembly.

Ordered that the following Message be sent to the House of Commons:

Mr. Speaker & Gentlemen of the House of Commons:

This House have entered into a Resolution to admit or receive no Bills during the present Session of Assembly except those of public or General Concern.

Resolved, that Messrs. Davis, Rand, Respass & Irwin, be a Committee, to act with such Gentlemen as the House of Commons may think proper to appoint, to prepare and bring in such Bills of a public Nature as are necessary to be passed into Laws.

Ordered that the following Message be sent to the House of Commons:

Mr. Speaker & Gentlemen of the House of Commons:

This House have appointed Messrs. Davis, Rand, Respass & Irwin, a Committee, to act jointly with such Gentlemen as you may think proper to appoint, to prepare and bring in such Bills of a public nature as are necessary to be passed into Laws.

Read the Petition of Thomas Case, praying to be exempted from paying Taxes, he being disabled and incapable of labouring.

Resolved that the prayer of the Petition be granted.

Ordered that the following Message be sent to the Commons:

Mr. Speaker & Gentlemen of the House of Commons:

Herewith you will receive the Petition of Thomas Case, & the Resolve of the Senate thereon, which we send for your Concurrence.

Received from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

This House have appointed Mr. Jones, Mr. Starkey, Mr. Gray, Mr. Person, Mr. Haywood, Mr. Horn, Mr. Cogdell, Mr. Hawkins & Mr. Hill, a Committee, on their part, to Act jointly with the Committee appointed by the Senate, to prepare and bring in such Bills of a public Nature as are necessary to be passed into Laws.

Also the following Message:

Mr. Speaker and Gentlemen of the Senate:

This House have received the Message of yours informing that you will not admit or receive any Bills during this Session of Assembly except those of a General or public Nature, with which we agree.

Received from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your Concurrence a Resolve of this House in favour of Henry Bufort.

At the same time received the Resolve of the Commons therein referred to, which being read was Concurred with.

Ordered that the following Message be sent to the Commons:

Mr. Speaker and Gentlemen of the House of Commons:

The Resolve of your House in favour of Henry Bufort we herewith return, Concurred with.

Received from the Commons the following Message:

Mr. Speaker and Gentlemen of the Senate:

Herewith you will receive two Messages from his Excellency the Governor, addressed to the General Assembly, together with the several Letters, Resolutions of Congress, &c., therein referred to.

At the same time received His Excellency's Messages, together with the several Letters and Resolutions of Congress therein referred to, which being read were ordered to be filed.

Received from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your Concurrence a Resolve of this House in favour of James Glasgow, Esquire, Secretary.

At the same time Received the Resolve therein referred to, which being read was Concurred with.

Ordered that the following Message be sent to the House of Commons:

Mr. Speaker & Gentlemen of the House of Commons:

The Resolve of your House in favour of James Glasgow, Esquire, we herewith return Concurred with.

Received from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your Concurrence a Resolve of this House in favour of Captain Francis Tartanson.

At the same time received the Resolve of the Commons referred to in the foregoing Message, which being read was Concurred with.

Ordered that the following Message be sent to the House of Commons:

Mr. Speaker & Gentlemen of the House of Commons:

Herewith you will receive the Resolve of your House in favour of Captain Tartanson, concurred with.

Received from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your Concurrence a Resolve of this House in favour of Mrs. McDonald, wife of Alexander McDonald.

At the same time received the Resolve therein referred to, which being read was concurred with.

Ordered that the following Message be sent to the House of Commons:

Mr. Speaker & Gentlemen of the House of Commons:

We herewith return the Resolve of your House in favour of Mrs. McDonald, concurred with.

The House Adjourned till To-morrow Morning 9 o'clock.

THURSDAY, 6th May, 1779.

The House met.

Mr. William Thompson and Mr. James Sanders, appeared, qualified agreeable to Law & took their Seats.

This Day being set apart by the Hon. the Continental Congress as a Day of Fasting, Humiliation and prayer, On motion of Mr. Battle, the House adjourned till to-morrow morning 9 o'clock.

FRIDAY, May 7th, 1779.

The House met according to Adjournment.

Mr. Thomas Relfe appeared, qualified agreeable to Law & took his Seat.

Received from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith return the Resolve of your House in favour of Thomas Case, Concurred with.

At the same time received the Resolve of this House referred to in the above Message.

Endorsed, In the House of Commons 5th May, 1779, Concurred with.

Received from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your perusal a Letter from the Governor of Virginia to Gov. Caswell, of 17th of April last, as also one other Letter from General Sumner, of the 10th, with a return of the North Carolina Brigade under his command.

At the same time Received the Letters referred to in the foregoing Message, which were read, & thereupon ordered that Mr. Davis be appointed, to act with such Gentlemen as the House of Commons may think proper to appoint, to draw up and make report of Instructions to His Excellency the Governor relative to the Letters from His Excellency Governor Henry to Governor Caswell.

Ordered that the following Message be sent to the Commons:

Mr. Speaker & Gentlemen of the House of Commons:

This House have appointed Oroondates Davis, Esquire, to act with such Gentlemen as you may think proper to appoint as a Committee, to draw up and make report of Instructions to His Excellency the Governor relative to the Letter from His Excellency Governor Henry, to him.

Received from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your Concurrence the Report of the joint Committee appointed to consider what Bills of a General nature are necessary to be passed during the present Session, Concurred with by this House.

At the same time received the Report of the Committee referred to in the foregoing Message, which was read and Concurred with.

Ordered that the following Message be sent to the House of Commons:

Mr. Speaker & Gentlemen of the House of Commons:

We herewith return the Report of the Committee appointed to consider what Bills of a general nature are necessary to be passed into Laws during the present Session, Concurred with by this House.

Received from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your perusal two letters from Colo. Jonas Johnston, of the 3d. April last, addressed to the Speakers of the General Assembly, &c., as also one other from James Davis, Esq.

At the same time Received the several Letters referred to in the foregoing Message, which was read, & Ordered that the Consideration of the letters from Colo. Jonas Johnston be referred to the same Committee who are appointed to take under Consideration the letter from His Excellency Governor Henry.

Ordered that the following Message be sent to the House of Commons:

Mr. Speaker & Gentlemen of the House of Commons:

This House,on reading the several Letters from Colo. Jonas Johnston, have thought proper to refer the Consideration of them to same Committee who are appointed to take into Consideration His Excellency Governor Henry's Letter.

Mr. Rand, one of the Committee who were appointed to prepare & bring in such Bills of a public nature as are necessary to be passed into Laws, presented a Bill for emitting Money for defraying the Expense of the War, and other purposes therein mentioned, which was read the first Time, passed and sent to the Commons.

Resolved, that Mr. Thomas Owens deliver into the hands of Ambrose Ramsey, Esqr., the Bonds taken by the Commissioners for the hire of McKnight's negroes, that Mr. Ramsey collect the monies for the same and account with the next General Assembly therefor.

Ordered that the above Resolve, together with the following Message, be sent to the House of Commons:

Mr. Speaker & Gentlemen of the House of Commons:

We herewith send for your Concurrence a Resolve of this House directing Mr. Owen to deliver the Bonds for the Hire of McNight's Negroes into the Hands of Colo. Ramsey, who is thereby directed to collect and account for the monies for 1st Bond, with next General Assembly.

Received from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith return the Resolve of your House impowering the Treasurers to receive of the Sheriffs, Collectors & Entry Takers, the Emissions of 20th May, 1777, & 11th April, 1778.

At the same time Received the Resolve of this House referred to in the foregoing Message.

Indorsed in the House of Commons 7th of May, 1779, Concurred with.

Received from the Commons a Bill for continuing and amending an Act for allowing Salaries to the Governor, Members of the Council of State, Secretary, Treasurers, and other purposes.

Endorsed in the House of Commons 7th May, 1779, Read the first time and passed.

Ordered that the said Bill be read.

Read the same the first time, passed and Ordered to be sent to the Commons.

Received from the Commons a Bill for raising Regular Forces for the Defence of the United States and for relieving the good people as far as may be, from the inconvenience of Drafts, and other purposes.

Endorsed in the House of Commons 7th May, 1779, Read the first Time & passed.

Ordered that the said Bill be read.

Read the same the first Time, passed and sent to the Commons.

Received from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith return the Resolve of your House directing Mr. Owen to deliver the Bonds, due for the hire of McKnight's negroes, into the Hands of Colo. Ramsey, Concurred with by this House.

At the same time Received the Resolve of this House referred to in the foregoing Message.

Endorsed in the House of Commons 7th May, 1779, Concurred with.

Received from the Commons the following Message:

Mr. Speaker and Gentlemen of the Senate:

This House have received the Message of yours appointing Mr. Davis, to act with such Gentlemen as might be appointed by this, to draw up and report Instructions to be given His Excellency the Governor relative to the letter from Govr. Henry, &c., and have for that purpose, on their part, appointed Mr. Jones.

General Rutherford, from the Committee of Claims, Reported that David Caldwell, one of the Contractors for the District of Salisbury, exhibited a Claim for sundry Expenditures on Account of the public amounting to Eight thousand nine Hundred & sixty-two pounds, three shillings, and as said Caldwell, and Joseph Dixon the other Contractor for said District, have purchased provisions for the use of the State on their own Credit to a much greater amount than the Sum they have received from the public, for that purpose, it is therefore the Opinion of your Committee that said Caldwell, on giving sufficient security, be allowed the

above Sum of Eight Thousand nine Hundred and sixty-two pounds three shillings.

All which is submitted.

The House taking 1st Report into Consideration, Concurred therewith.

Ordered that the above Report together with the following Message, be sent to the House of Commons:

Mr. Speaker & Gentlemen of the House of Commons:

We herewith send for your Concurrence a Report of the Committee of Claims relative to David Caldwell, Contractor for Salisbury District, Concurred with by this House.

Received from the Commons a Bill for amending an act for making provisions for the poor, and for other purposes.

Endorsed in the House of Commons 7th May, 1779, Read the first Time and passed.

Ordered that the said Bill be read. Read the same the first Time, passed and sent to the Commons.

Resolved, that all Accounts or Claims against the United States, which are brought before the Committee of Claims or Accounts, be received by said Committee and, if just, allowed.

Ordered that the above Resolve, together with the following Message, be sent to the Commons:

Mr. Speaker & Gentlemen of the House of Commons:

Herewith you will receive a Resolve of this House relative to the proceedings of the Committees of Accounts and Claims.

Received from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

We cannot concur with your House in receiving the Report of the Committee of Claims, respecting Messrs. Caldwell & Dixon, because by the Rule Established at New Bern for regulating the manner of Conducting Business in the General Assembly, which has never been altered, it was determined that all Reports of Committees, constituted by Members of both Houses, should be first read in the House of Commons.

Received from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send you the Petition of Charles Medlock, Colonel of the Anson Regiment of Militia, which this House propose referring to a joint Committee, and have for that purpose, on our part, appointed Mr. Bloodworth, Mr. Jones & Mr. Person, a Committee.

At the same time received the Petition referred to in the foregoing Message, which being read, Ordered that the following Message be sent to the Commons:

Mr. Speaker & Gentlemen of the House of Commons:

We have received your Message appointing a Committee to take under Consideration the Petition of Colo. Medlock, and have for that purpose, on our part, appointed Col. Irwin and Mr. Childs to act with the Gentlemen by you appointed.

Received from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your Concurrence a Resolve of this House requesting His Excellency the Governor to grant a Warrant on the Treasury in favour of David Caldwell, for a certain Sum therein mentioned.

At the same time received the Resolve of the Commons referred to in the foregoing Message, which, being read, was concurred with.

Ordered that the following Message be sent to the House of Commons:

Mr. Speaker & Gentlemen of the House of Commons:

The Resolve of your House empowering David Caldwell to draw a certain Sum of money from the Treasury we return you, with this, concurred with.

Received from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your Concurrence a Resolve of this House

for exempting the persons therein mentioned from the payment of Taxes.

At the same time received the Resolve of the Commons referred to in the foregoing Message, which, being read, was concurred with.

Ordered that the following Message be sent to the House of Commons:

Mr. Speaker & Gentlemen of the House of Commons:

This House have received your Message & Resolve for exempting certain persons from payment of Taxes, and herewith return you the Resolve, Concurred with.

The House Adjourned till to-morrow morning 9 o'clock.

Saturday, 6th May, 1779.

The House met according to adjournment.

Received from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your Concurrence a Resolve of this House requesting His Excellency the Governor to issue orders to the proper Officers countermanding the issuing any Spirits to the Militia, Soldiers, &c., as also orders to General Lillington to discharge the Militia embodied in the District of Wilmington.

At the same time Received the Resolve of the Commons referred to on the foregoing Message, which, being read, was concurred with.

Ordered that the following Message be sent to the House of Commons:

Mr. Speaker & Gentlemen of the House of Commons:

Herewith you will receive the Resolve of your House requesting His Excellency to issue Orders to the proper Officers countermanding the issuing Spirits to the Militia, Soldiers, &c., Concurred with.

Mr. Speaker informed the House that he received a letter from Waightstill Avery, Esquire, State Attorney General, which was read as follows:

SMITHFIELD, 8th May, 1779.

HOND. SIR:

Request the favour of you to lay before the Senate my Resignation of the Office of Attorney General, and express my best Thanks & Gratitude to the public for that Honorable appointment, which my particular Circumstances do not admit me any longer to execute.

Your very Obed. Humble Serv.,
WAIGHTSTILL AVERY.

The Honble. Speaker of the Senate:

Whereas, the holding the General Assembly of this State, and the Offices incident thereto, at some certain fixed place, at or near the centre thereof, would save a considerable Expense to the public and tend much to the Ease and advantage of the Inhabitants in other Respects as well as for the preservation of the public Records,

Resolved, therefore, that two Commissioners from each District be appointed by the Present Assembly, to wit:

For the District of Salisbury, George Cathey and James Green Lee.

For the District of Hillsborough, Thomas Person and John Hogan.

For the District of Halifax, Benjamin Seawell and Willie Jones.

For the District of Edenton, Samuel Johnston and Robert Smith.

For the District of New Bern, James Coor and Thomas Gray.

For the District of Wilmington, Edward Starkey and William Hooper.

And that a majority of them view and fix upon some place in each of the Counties of Johnston, Wake & Chatham, for holding the General Assembly, the most commodious, convenient and agreeable to the persons who may be drawn thither by attendance on the public Business, and that they return a fair plan of each place with a Description of the natural advantages and report the same to the next Assembly.

Resolved also, that the above Commissioners, or a majority of them, meet at Chatham Court House on or about the twenty-fifth Day of September next, and that for their Services they receive five pounds each per Diem.

On motion, for passing the above Resolve, Mr. Respass moved that the Words "or any other place" be added after the Words "in the Counties of Johnston, Wake & Chatham," this being objected to, the Question was put and carried in the negative. Then, on motion of Mr. Respass, the yeas and nays were taken, as follows:

Yeas:	Nays:
Griffith Rutherford,	Ephraim Maclain,
James Kenan,	Elisha Battle,
John Duane,	Robert Irwin,
Benjamin Seawell,	Ambrose Ramsay,
Henry Rhodes,	John Childs,
Thomas Gray,	John Hogan,
Benjamin Exum,	Samuel Smith,
Kenneth McKenzie,	Edward Salter,
Thomas Respass,	John Faulcon,
George Wynns,	Nathan Boddie,
William Thompson,	John Rand,
Thomas Relfe.—12.	Oroondates Davis,
	Memucan Hunt,
	Thomas Owen,
	James Sanders.—15.

Ordered that the foregoing Resolve, together with the following Message, be sent to the House of Commons:

Mr. Speaker & Gentlemen of the House of Commons:

Herewith you will receive a Resolve of this House, for your Concurrence, appointing Commissioners to fix upon a place in the Counties of Chatham, Johnston or Wake, the most convenient for holding the General Assembly at, and return plans thereof to the next General Assembly. The District of Edenton not being fully represented in this House, we expect you will appoint Commissioners for that District in your House.

Ordered that the following Message be sent to the Commons:

Mr. Speaker & Gentlemen of the House of Commons:

This House propose, if agreeable to the House of Commons, to ballot this evening at 4 o'Clock for Continental Delegates, a Brigadier General for the District of New Bern, in the room of William Bryan, Esquire, resigned; an Attorney General, in the room of Waightstill Avery, Esquire, resigned; a Judge of the Superior Court, in the room of Archibald Maclaine, Esqr., who refuses to act, & the Time and place for holding the next General Assembly, and put in nomination for Delegates, John Penn and Cornelius Harnett, Esquires; for a Brigadier General, William Caswell and John Simpson, Esquires; a Judge, John Williams,Esq., of Granville; Attorney General, Thomas McGuire, Esq.; for the place of holding the next Assembly, at Hillsborough, New Bern & Halifax, and for the time when, the first Monday in October & second Monday in November.

This House have appointed Mr. Seawell & Mr. Exum, on their part, to superintend the Balloting.

Should your House accede to this measure, you will signify the same to the Senate.

Received from the Commons a Bill for amending an Act for making provision for the poor, and for other purposes.

Endorsed in the House of Commons 8th May, 1779.

Read the second time and passed.

Ordered that the Bill be read. Read the same the second time, passed and ordered to be Engrossed for the third reading.

Received from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your Concurrence the report of the Committee to which was referred the Petition of Stephen Snell and James Spillen, Concurred with by this House.

At the same Time received the Report of the Committee referred to in the foregoing Message, which being read was Concurred with.

Ordered that the following Message be sent to the House of Commons:

Mr. Speaker & Gentlemen of the House of Commons:

We herewith return the Report of the Committee to which was referred the Petition of Stephen Snell & James Spillen, Concurred with by this House.

Read the Petition of a number of the Inhabitants of Lincoln County, praying for a new Writ of Election, setting forth that the Member chosen by last Election to represent said County in Senate was not legally Chosen.

Ordered that General Rutherford, Col. Irwin, Mr. Rand, Mr. Seawell & Mr. Boddie, be a Committee to consider of said Petition, and to make Report to the House thereon.

Received from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

This House having received the Message of yours proposing to Ballot at 4 o'Clock this Evening, for Continental Delegates; a Brigadier General for the District of New Bern, in the room of William Bryan, Esquire, resigned; an Attorney General, in the room of Waightstill Avery, Esquire, resigned; a Judge of the Superior Court, in the room of Archibald Maclaine, Esquire, who refuses to act; and the time and place for holding the next general Assembly, to which we agree, and put in nomination for Delegates, John Penn & Cornelius Harnett, Esquires; for a Brigadier General, William Caswell & John Simpson, Esquires; a Judge, John Williams of Granville and Richard Henderson; Attorney General, Bromfield Ridley, James Williams and Joseph Taylor; For the place for holding the next Assembly, Hillsborough, New Bern & Halifax, and for the Time when, the first Monday in October and the second Monday in November.

This House have appointed Mr. G. Hill & Mr. Starkey, on their part, to superintend the Balloting.

Received from the Commons a Bill for establishing State Loan Offices, for the purpose of borrowing Money to defray the Expenses of the War.

Endorsed in the House of Commons 8th May, 1779.

Read the first Time and passed.

Ordered that the said Bill be read. Read the same the first Time, passed and sent to the Commons.

Mr. Seawell, who was appointed on the part of this House to superintend the Balloting, Reported, that John Penn and Cornelius Harnett, Esquires, were Elected Delegates for the ensuing Year; Thomas McGuire, Esqr., Attorney General; John Williams, Esquire, Judge of the Superior Court; William Caswell, Esquire, Brigadier General, and that the next Assembly is to sit on the first Monday in October at Halifax.

All which were chosen by a Majority of the Votes of both Houses.

The House adjourned till Monday morning 9 o'clock.

Monday, 10th May, 1779.

The House met.

Mr. William Graham appeared, qualified agreeable to Law and took his Seat.

Received from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your Concurrence a Resolve of this House for establishing an Academy in Granville County, and for other purposes therein mentioned.

At the same time received the Resolve of the Commons referred to in the foregoing Message, which being read was Concurred with.

Ordered that the following Message be sent to the House of Commons:

Mr. Speaker and Gentlemen of the House of Commons:

Herewith you will receive the Resolve of your House for establishing an Academy in Granville County, Concurred with.

Mr. Davis moved for leave & presented a Bill to amend an act Entitled an Act for levying a Tax for defraying the Contingencies of the several Counties, and for other purposes, which was read the first Time, passed and sent to the Commons.

Received from the Commons the Bill for continuing and amending an Act for allowing Salaries to the Governor, Members of the Council of State, and for other purposes.

Endorsed in the House of Commons 10th May, 1779, read the Second time, amended and passed.

Ordered that the same be read. Read the same the second Time, amended, passed and sent to the Commons.

Received from the Commons a Bill to amend an Act Entitled an Act for directing the method of appointing Jurors in all Causes, Civil and Criminal.

Endorsed in the House of Commons 10th May, 1779.

Read the first time and passed.

Ordered that the said Bill be read.

Read the same the first time, passed and sent to the Commons.

Received from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your Concurrence a Resolve investing the Honble. John Penn & Cornelius Harnett, Esquires, Delegates, with certain powers.

At the same time received the Resolve of the Commons referred to in the foregoing Message, which being read was concurred with.

Ordered that the following Message be sent to the Commons:

Mr. Speaker & Gentlemen of the House Commons:

We herewith return the Resolve of your House investing John Penn & Cornelius Harnett, Esquires, with certain powers, Concurred with.

Received from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

You will with this receive the resignation of Gen. William Skinner, Esquire.

At the same time received the resignation of Gen. Skinner, which was read and filed.

Received from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your Concurrence a Resolve of this House directing Nicholas Long, Esqr., Deputy Quarter Master General, to send to the States of Virginia and South Carolina for Fire arms, &c.

At the same time received the Resolve of the Commons referred to in the foregoing Message, which being read was Concurred with.

Ordered that the following Message be sent to the House of Commons:

Mr. Speaker & Gentlemen of the House of Commons:

Herewith you will receive the Resolve of your House directing Nicholas Long, Esquire, Deputy Quarter Master General, to send to the States of Virginia & South Carolina for fire Arms, &c., Concurred with.

The House adjourned till To-morrow morning 9 o'Clock.

Tuesday, 15th May, 1779.

The House met according to adjournment.

Received from the Commons a Bill to amend an Act entitled an Act for levying a Tax for defraying the Contingencies of the several Counties in this State and other purposes.

Endorsed In the House of Commons 10th May, 1779, Read the first time and passed.

Ordered that the said Bill be read.

Read the same the second Time, amended, passed and sent to the Commons.

Mr. Seawell moved for leave and presented a Bill to enable the Governor, with the advice of the Council, to embody and March to the aid of any of the neighboring States any number of the Militia, not exceeding two Thousand Men, and for directing the method of furnishing the Militia of this State, when called into actual Service, with Baggage Wagons, Horses, &c., and for other purposes, which was read the first Time, passed and sent to the Commons.

Mr. Samuel Johnston & Mr. Jasper Charlton, appeared, qualified agreeable to law and took their Seats.

Received from the Commons a Bill for raising regular forces for the Defence of the United States, and for other purposes.

Endorsed In the House of Commons 10th May, 1779, read the second time, amended & passed.

Ordered that the said Bill be read.

Read the same the second time, amended, passed and sent to the Commons.

Received from the Commons a Bill for amending an Act for making provisions for the poor, and for other purposes.

Endorsed In the House of Commons 10th May, 1779. Read the third time, amended and passed.

Ordered that the said Bill be read.

Read the same the third time, amended by Consent, passed and ordered to be again Engrossed.

Received from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your Concurrence a Resolve of this House impowering His Excellency the Governor to grant a Warrant on the Treasury for a Sum of Money not exceeding One Hundred Thousand pounds, and for other purposes therein mentioned.

At the same time received the Resolve of the Commons referred to in the foregoing Message, which being read was Concurred with.

Ordered that the following Message be sent to the House of Commons:

Mr. Speaker & Gentlemen of the House of Commons:

We herewith return the Resolve of your House impowering His Excellency to grant a Warrant on the Treasury for a Sum of Money not exceeding One Hundred Thousand pounds, &c., Concurred with.

Received from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your Concurrence a Resolve of this House favour of Bryan Crosbie.

At the same time received the Resolve of the Commons referred to in the foregoing Message, which being read was Concurred with.

Ordered that the following Message be sent to the House of Commons:

Mr. Speaker & Gentlemen of the House of Commons:

We herewith return the Resolve of your House in favour of Bryan Crosbie, Concurred with.

Received from the Commons the Bill for allowing Salaries to the Governor, Members of the Council of State, Secretary, Treasurers, and for other purposes.

Endorsed in the House of Commons 11th May, 1779. Read the third time, amended and passed.

Ordered that the aforegoing Bill be read.

Read the same the third time, passed and Ordered to be Engrossed.

Received from the Commons a Bill for emitting Money for defraying the expense of the War, and other purposes therein mentioned.

Endorsed In the House of Commons 7th May, 1779. Read the first Time and passed.

Ordered that the said Bill be read.

Read the same the second time, passed and sent to the Commons.

Mr. Exum has leave of absence from the Service of this House.

The House adjourned til tomorrow morning 9 o'Clock.

WEDNESDAY, 12th May, 1779.

The House met according to adjournment.

Received from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your Concurrence a Resolve of this House for appointing persons to adjust the accounts of this State with the Continental Congress, &c.

At the same time received the Resolve of the Commons referred to in the foregoing Message, which being read was Concurred with.

Ordered that the following Message be sent to the House of Commons:

Mr. Speaker & Gentlemen of the House of Commons:

We herewith return the Resolve of your House for appointing persons to adjust the Accounts of this State with the Continental Congress, Concurred with.

Received from the Commons the following Message:

Mr. Speaker & Gentlemen of the House of Commons;

We herewith send you the Petition of John Cruden, Sen., praying to be admitted a Citizen of this State, which we propose referring to a joint Committee, and have for that purpose, on our part, appointed Mr. Peebles, Mr. Starkey, Mr. Brown, Mr. Cockrand and Mr. Medlock, a Committee.

At the same time received the Petition of said Cruden, which being read, Ordered that the following Message be sent to the House of Commons:

Mr. Speaker & Gentlemen of the House of Commons:

This House have received your Message with the Petition of John Cruden, and have appointed Mr. Johnston & Mr. Irwin, to act with the Gentlemen by you appointed, as a Committee to take under Consideration said Petition.

Received from the Commons the Bill to enable the Governor, with the advice of the Council, to embody and march to the aid of any of the neighboring States any number of the Militia, not exceeding two thousand men, and for directing the method of furnishing the Militia of this State, when called into actual Service, with Baggage Waggons, Horses, &c., and for other purposes.

General Rutherford moved for leave to take out and amend said Bill.

Ordered that he have leave accordingly.

Received from the Commons a Bill to amend an Act Entitled

an Act for levying a Tax for defraying the Contingencies of the several Counties in this State, and for other purposes.

Endorsed In the House of Commons 11th May, 1779. Read the second time, amended and passed.

Ordered that the said Bill be read.

Read the same the third time, amended, passed and sent to the Commons.

Received from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

This House have appointed Mr. Jones, Mr. Rowan, Mr. Luttrell, Mr. Person and Mr. Smith, to act jointly with such Gentlemen of the Senate as may be appointed, to take under Consideration the Case of the Continental Officers, and making a further provision for the same.

Ordered that the following Message be sent to the House of Commons:

Mr. Speaker and Gentlemen of the House of Commons:

This House have appointed Mr. Johnston, Mr. Davis and Mr. Sanders, to act with the Gentlemen by you appointed, to take under Consideration the Case of the Continental Officers, &c.

Ordered that the following Message be sent to the House of Commons:

Mr. Speaker & Gentlemen of the House of Commons:

This House have ordered the Clerk to make out the Estimate to include Saturday next, and propose that the Members should be allowed ten Dollars each per Day, also that those Members who went to New Bern should be allowed for going there and returning.

Should your House concur with this you will signify the same by message.

Received from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your concurrence a Resolve of this House

appointing a Brigadier General for the District of Hillsbroough pro tem.

At the same time received the resolve of the Commons referred to in the foregoing Message, which being read, was Concurred wit.

Ordered that the following Message be sent to the House of Commons:

Mr. Speaker & Gentlemen of the House of Commons:

Herewith you will receive the Resolve of your House appointing a Brigadier General pro tem for the District of Hillsborough, Concurred with.

Ordered that the following Message be sent to the Commons:

Mr. Speaker & Gentlemen of the House of Commons:

This House have observed a certain Ephraim Barnes is recommended as a Justice of the peace for the County of Edgecombe, whose name was Erased by the order of this House before the book of the Justices was sent to the Commons, we hope therefore that your House will consent to Strike off that name again, as the Senate suppose there is already a sufficient number of Justices in that County.

Mr. Respass has leave of absence from the service of this House after Saturday next.

General Rutherford moved for leave and presented a Bill to repeal an Act entitled an Act to Carry into effect an Act passed at New Bern in November, 1777, Entitled an Act for confiscating the property of all such persons as are inimical to the United States, and of such persons as shall not within a certain time therein mentioned appear and submit to the State, whether they shall be admitted as a Citizen, and for other purposes therein mentioned, and for other purposes, which was read the first time, passed and sent to the Commons.

Resolved that General Rutherford be empowered to send the Guns now in the District of Salisbury, belonging to the Inhabitants of Hillsborough District, to Colo. Sanders, and Nathaniel Rochester, in the said District, who are hereby requested to sell

the same and return an account of such sales to the next Assembly.

Ordered that the following Message be sent to the Commons:

Mr. Speaker & Gentlemen of the House of Commons:

We herewith send for your Concurrence a Resolve of this House relative to the sales of certain Guns therein mentioned.

Received from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

This House cannot agree that the daily allowance of the Members should be ten Dollars only, as recommended by your House, as they think thirteen Dollars barely adequate, considering their Expenses.

We propose that all the Members who set off to New Bern to attend the Assembly which was to have met on the first Monday in April last should be paid for the time they were traveling to and attending at New Bern, and not confine it only to those who attended there, as recommended by the Senate.

Ordered that the following Message be sent to the House of Commons:

Mr. Speaker & Gentlemen of the House of Commons:

This House have received your Message relative to the daily pay of the Members, &c,, and concur therewith.

Received from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

This House have received the Message of yours proposing to strike the name of Ephraim Barnes from the Book of Justices, and cannot Concur therewith.

Ordered that the following Message be sent to the House of Commons:

Mr. Speaker & Gentlemen of the Honse of Commons:

This House propose, if agreeable to the Commons, to Ballot at four o'Clock this Evening for a Brigadier General for the District

of Edenton, in the room of Gen. Skinner, resigned, and for Treasurers for the several Districts of this State, and put in nomination for a Brigadier General, Isaac Gregory & John Pugh Williams, Esquires, for a treasurer for Hillsborough District, William Johnston, Esquire; for Salisbury, William Cathey; for Halifax, Green Hill; for Edenton, William Skinner, Esqr.; for New Bern, Benjamin Exum, Esqr., & for Wilmington, John Ashe, Esqr.

We have appointed Mr. Faulcon & Mr. Seawell, to superintend the Balloting, on the part of this House.

Should your House accede to this Measure you will signify the same by Message.

Received from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your Concurrence a Resolve of this House impowering the Sheriff of Orange County to hold an Election for Commissioners for the Town of Hillsborough.

At the same time received the Resolve of the Commons referred to in the foregoing Message, which being read was Concurred with.

Ordered that the following Message be sent to the House of Commons:

Mr. Speaker & Gentlemen of the House of Commons:

The Resolve of your House impowering the Sheriff of Orange County to hold an Election for Commissioners for the Town of Hillsborough, we herewith return you, Concurred with.

Received from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

This House have received the message of yours proposing to Ballot at 4 o'Clock this Evening for a Brigadier General for the District of Edenton, and Treasurers for the different Districts, to which we agree, and have, on our part, put in nomination for a Brigadier General, Isaac Gregory, John Pugh Williams & James Blount, Esquires; for a Treasurer for the District of Hillsborough, John Rand; for the District of Salisbury, David Nesbit and Mathew Lock; for the District of Halifax, Green Hill and Good-

man Davis; for the District of Edenton, William Skinner; for the District of New Bern, Richard Cogdell and William Ward; for the District of Wilmington, John Ashe and Henry Rhodes, Esquires.

We have appointed Mr. Person & Mr. Sam. Williams to superintend the Balloting.

Mr. Seawell, from the Committee who was appointed to superintend the Balloting, Reported that John Pugh Williams, Esquire, was Elected Brigadier General for the District of Edenton; William Skinner, Esquire, was Elected Treasurer for the District of Edenton; William Cathey, for the District of Salisbury; William Johnston, for the District of Hillsborough; Green Hill, for the District of Halifax; Richard Cogdell, for the District of New Bern; and John Ashe, for the District of Wilmington.

All which were chosen by a majority of the votes of both Houses.

Resolved, that William Skinner, Esquire, be appointed to adjust the accounts of this State, from the Commencement of the War to the close of this Session, with the Continental Congress, and that he be directed to observe the due distinctions between the charges proper to be made against the State for Expenses incurred for the sole benefit thereof from those which have been incurred by this State for the Benefit of the Continent at large, and that he regulate the vouchers upon which such charges are made; and, in every other matter relative thereto, pursue such plan as may best Conduce to obtain a full and Satisfactory View of such Accounts and do justice to this State.

Resolved, further, that the said William Skinner, Esquire, be allowed for those services the sum of five thousand pounds.

And Resolved, also, that the Resolution of this Assembly of the 11th Instant, appointing three Auditors, be Rescinded.

Ordered that the above Resolve, together with the following Message be sent to the House of Commons:

Mr. Speaker & Gentlemen of the House of Commons:

We herewith send for your Concurrence a Resolve of this House appointing William Skinner, Esquire, to settle and adjust the

public Accounts, &c., and allowing him a certain Sum for that Service; also proposing to rescind the Resolve adopted by the Assembly appointing three persons for that purpose.

The House Adjourned till to-morrow Morning 9 o'Clock.

THURSDAY, 13th May, 1779.

This House met according to adjournment.

Received from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send you a Message from His Excellency the Governor, together with the sundry papers therein referred to.

At the same time received the Message from His Excellency the Governor, together with sundry papers relative to the Inhabitants of Currituck County, which were ordered to be referred to Mr. Relfe and Mr. Respass, to act with such Gentlemen as the House of Commons may think proper to appoint.

Ordered that the following Message be sent to the House of Commons:

Mr. Speaker & Gentlemen of the House of Commons:

This House have appointed Mr. Relfe & Mr. Respass, to act with such Gentlemen as the House of Commons may appoint, to take into Consideration the several letters, &c., relative to the Inhabitants of Currituck.

Received from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your Concurrence a Report of the Committee appointed to take into Consideration the petition of John Cruden, senior, Concurred with, by this House.

At the same time received the Report referred to in the foregoing Message, which, being read, was Concurred with.

Ordered that the following Message be sent to the House of Commons:

Mr. Speaker & Gentlemen of the House of Commons:

We herewith return the Report of the Committee appointed to take under Consideration the Petition of John Cruden, Sen., Concurred with.

Received from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your Concurrence a Resolve of this House for selling the armed Brigantine Pennsylvania Farmer.

At the same time received the Resolve referred to in the foregoing Message, which, being read, was Concurred with.

Ordered that the following Message be sent to the House of Commons:

Mr. Speaker & Gentlemen of the House of Commons:

Herewith you will receive the Resolve of your House relative to the Brigantine Pennsylvania Farmer, Concurred with.

Received from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

Herewith we return you the Resolve of your House appointing General William Skinner to adjust the Accounts of this State with the Continental Congress, &c., and allowing him a certain Sum therein mentioned for those Services, Concurred with.

At the same time received the Resolve of this House referred to in the foregoing Message.

Endorsed in the House of Commons 12th May, 1779, Concurred with.

Received from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

This House beg leave to call the attention of the Senate to the Resolve which accompanies this, it being intended as a substitute for a Resolve, the same in Substance, which failed yesterday from Clerical Error or accidental Misapprehension.

At the same time received the Resolve of the Commons referred

to in the foregoing Message, which, being read, was. Concurred with.

Ordered that the following Message be sent to the House of Commons:

Mr. Speaker & Gentlemen of the House of Commons:

Herewith you will receive the Resolve of your House appointing Commissioners to recommend to the next Assembly a suitable place for fixing the Seat of Government, Concurred with.

General Rutherford presented the Bill to enable the Governor, with the advice of the Council, to embody and march to the aid of any of the neighboring States any number of the Militia, not exceeding two thousand Men, which he had leave to take out and amend.

Ordered that the said Bill be read.

Read the same the second time, amended, passed and sent to the Commons.

Received from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your Concurrence a Resolve of this House in favour of Thomas Craike, Esq., Commissary of Stores.

At the same received the Resolve of the Commons referred to in the foregoing, which was read and Concurred with.

Ordered that the following Message be sent to the House of Commons:

Mr. Speaker and Gentlemen of the House of Commons:

The Resolve of your House in favour of Thomas Craike, Esqr., you will with this receive, Concurred with.

Received from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

This House have appointed Mr. Brown, Mr. Smith, Mr. Campbell & Mr.. P. Hawkins, to act with the Gentlemen by you appointed, to take under Consideration the several Letters, &c., relative to the Inhabitants of Currituck.

Received from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

This House have appointed Mr. Luttrell, Mr. Person, Mr. Smith & Mr. Phifer, a Committee, on their part, to act jointly with such Gentlemen of the Senate as may be appointed, to point out & ascertain the Services to be performed by the Commissary of Stores, as also the allowance for such Services.

Ordered that the following Message be sent to the House of Commons:

Mr. Speaker & Gentlemen of the House of Commons:

This House have received the Message of yours appointing a Committee to point out and ascertain the Services to be performed by the Commissary of Stores, and also the allowance for such Services, and have on their part, for that purpose, appointed Messrs. Rutherford, Sanders & Hogan.

Resolved, that the Commissioners who were appointed at the last Session of Assembly, at Halifax, in each respective District, for the purpose of purchasing, for the use of the State, Pork, Beef, Corn, Flour, Pease, Rice, &c., &c., take particular care in Storing, &c., all such Provisions, that the same may be kept sound until called on by proper officers for the same, and repack such as require it; and that they exhibit to the next Session of Assembly an Account of all their Expenditures relative thereto, and be allowed the same & what the Assembly think proper for their Trouble.

Ordered that the above Resolve, together with following Message, be sent to the Commons:

Mr. Speaker & Gentlemen of the House of Commons:

We herewith send for your Concurrence a Resolve of this House directing the Commissioners appointed by last Assembly to purchase Provisions, to take care of the same until called for by proper Officers.

The House adjourned till to-morrow Morning 9 o'Clock,

FRIDAY, 14th May, 1779.

The House met according to adjournment.

Received from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send you a letter from the Lieut. Governor of South Carolina, addressed to His Excellency Richard Caswell, Esquire, which we propose referring to a joint Committee, and have for that purpose, on our part, appointed Mr. Hooper & Mr. Jones & Mr. Person, a Committee.

At the same time received the Letter from the Lieutenant Governor of So. Carolina, addressed to His Excellency the Governor of this State, which, being read, ordered that the following Message be sent to the House of Commons:

Mr. Speaker & Gentlemen of the House of Commons:

This House have received your Message, together with a Letter from the Lt. Governor of South Carolina to the Gov. of this State, and have appointed Mr. Johnston & Gen. Rutherford, to act with the Gentlemen by you appointed, to take said Letter under Consideration.

Received from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your Concurrence the Report of the Committee appointed to draw up and make Report of Instructions to His Excellency the Governor relative to the Letter from His Excellency Governor Henry, &c., Concurred with by this House.

At the same time received the Report of the Committee referred to in the foregoing Message, which, being read, was Concurred with.

Ordered that the following Message be sent to the House of Commons:

Mr. Speaker & Gentlemen of the House of Commons:

We herewith return the Report of the Committee appointed to draw up and make Report of Instructions to His Excellency rela-

tive to the Letter from His Excellency Governor Henry, Concurred with by this House.

Received from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your Concurrence the report of the Committee to take under Consideration the Petition of the Inhabitants of Currituck County, Concurred with by this House.

At the same time received the Report of the Committee referred to in the foregoing Message, which, being read, was Concurred with.

Ordered that the following Message be sent to the House of Commons:

We herewith return you the Report of the Committee appointed to take under Consideration the Petition of the Inhabitants of Currituck County, Concurred with by this House.

Whereas, it is impossible, from the Difficulties of communicationg Intelligence in this State, and the remote situation of many of the Inhabitants thereof, that they should receive notice time enough to carry in the Monies of the Date of 20th May, 1777, & 11th April, 1778, to the proper office by the Time limited by Congress;

Resolved, therefore, that His Excellency the Governor write to our Continental Delegates to request Congress to grant such further time, as they shall think proper, for carrying in said Emissions, so that the Inhabitants of this State may not be injured.

Ordered that the above Resolve, together with the following Message, be sent to the Commons:

Mr. Speaker & Gentlemen of the House of Commons:

We herewith send for your Concurrence a Resolve of this House relative to the Continental Money of the Emissions of May 20th, 1777, and 11th April, 1778.

Received from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your Concurrence a Resolve of this House

desiring His Excellency the Governor to appoint a Lieutenant to the Guard of the Magazine at Halifax.

At the same time received the Resolve of the Commons referred to in the foregoing Message, which, being read was Concurred with.

Ordered that the following Message be sent to the House of Commons:

Mr. Speaker & Gentlemen of the House of Commons:

We herewith return the Resolve of your House desiring His Excellency to appoint a Lieutenant to the Guard of the Magazine at Halifax, concurred with.

Received from the Commons the following Message.

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your Concurrence a Resolve of this House authorizing Gen. Skinner to demand and receive of the Clerks of the General Assembly, or other persons, any public papers in their possession.

At the same time received the Resolve of the Commons referred to in the foregoing Message, which, being read, was Concurred with.

Also the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your Concurrence the Report of the Committee appointed to Consider the Petition of Charles Medlock, Colo. of the Anson Regiment of Militia, Concurred with by this House.

At the same time received the Report of the Committee referred to in the foregoing Message, which, being read, was Concurred with.

Ordered that the following Message be sent to the House of Commons:

Mr. Speaker & Gentlemen of the House of Commons:

Herewith you will receive the Resolve of your House Authorizing Gen. Skinner, to demand and receive from the Clerks of the

Assembly, or any other persons, certain papers therein mentioned; also the Report of the Committee appointed to consider the Petition of Colo. Medlock, Concurred with.

Received from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

Herewith you will receive the Resolve of your House relative to the Continental Money, of the Emissions of 20th of May, 1777, & 11th April, 1778, Concurred with.

At the same time received the Resolve of this House referred to in the foregoing Message.

Endorsed in the House of Commons 14th May, 1779, Concurred with.

Received from the House of Commons the following Message:

Mr Speaker & Gentlemen of the Senate:

We herewith return you the Resolve of your House, directing the Commissioners appointed by the last Assembly to purchase Provisions, and to take care of the same, Concurred with.

At the same time received the Resolve of this House referred to in the above Message.

Endorsed in the House of Commons 14th May, 1779, Concurred with.

Received from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your Concurrence a Resolve of this House impowering the Treasurers to receive Loan Office Certificates, of the County Treasurers & Entry Takers, in discharge of Collection, &c.

At the same time received the Resolve of the Commons referred to in the foregoing Message, which, being read, was Concurred with.

Ordered that the following Message be sent to the Commons:

Mr. Speaker & Gentlemen of the House of Commons:

Herewith you will receive the Resolve of your House directing the Treasurers to receive of the County Treasurers & Entry

Takers Certificates for money deposited in the Loan Office, &c., Concurred with.

Received from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your Concurrence a Resolve of this House requesting His Excellency the Governor to order the Cannon Guns therein mentioned to Fort Johnston, for the Defense of that place, &c.

At the same time received the resolve of the Commons referred to in the foregoing Message, which being read, was Concurred with.

Ordered that the following Message be sent to the Commons:

Mr. Speaker & Gentlemen of the House of Commons:

Herewith you will receive the Resolve of your House requesting His Excellency the Governor to order certain pieces of Cannon to Fort Johnston, Concurred with.

Received from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your Concurrence the Report of the Committee appointed to take under Consideration the Letter from the Lieutenant Governor of South Carolina to the Governor of this State, Concurred with by this House.

At the same time received the Report of the Committee referred to in the foregoing Message, which, being read, was Concurred with.

Ordered that the following Message be sent to the House of Commons:

Mr. Speaker & Gentlemen of the House of Commons:

We herewith return you the report of the Committee appointed to take under Consideration the Letter from the Lieutenant Governor of South Carolina to Governor Caswell, &c., Concurred with by this House.

Received from the Commons a Bill for emitting Money for defraying the expence of the War, and other purposes therein mentioned.

Endorsed in the House of Commons 11th May, 1779, read the second time, amended and passed.

Ordered that the said Bill be read.

Read the same the third time, amended, passed and sent to the Commons:

The House adjourned till to-morrow Morning 9 o'Clock.

SATURDAY, 15th May, 1779.

The House met.

Resolved that Mr. Craike, Commissary of Stores, make into tents, immediately, all the Canvass & Oznaburg now in the public Stores, for the use of the Militia which may be called into Service. That he purchase all Guns & swords suitable for the foot or Light Horse, and employ persons to make ten thousand Cartridge Boxes, which, when made, shall be sent to the several Districts in proportion to the number of Militia in each.

Resolved, further, that Mr. Craike be and he is hereby empowered to agree with the French Consul at Charleston, or any other person, for ten thousand complete stand of Arms with Bayonetts, to be paid for in Tobacco or money, as he may agree, and that the public Tobacco now in the hands of Mr. Hawkins be kept for this purpose.

Resolved, that Mr. Craike have leave to take out of Service all such Workmen and Artificers as may be necessary to Make up Tents, Cloaths, Cartridge Boxes, & other Articles, and that such Artificers be discharged from Military Duty while in such Service.

Ordered that the above Resolve, together with the following Message be sent to the Commons:

Mr. Speaker & Gentlemen of the House of Commons:

We herewith send for your Concurrence a Resolve of this House empowering Thomas Craike, Esquire to make up Tents, Cloathing, &c., and to procure Arms for this State.

Resolved, that the Brigadier Generals of this State take every Step in their power necessary to repel an Invasion from our common Enemy.

Resolved, also, that they employ Mechanics to repair all such Guns, as they approve of, which were taken into the Militia Service or from the Tories.

And Resolved, that the Brigadier of Wilmington District cause to be removed from Wilmington & Cross Creek the military Stores, and all provisions of every kind, to a place of safety, taking care to leave provisions sufficient for the Inhabitants.

Ordered that the following Message be sent to the House of Commons:

Mr. Speaker & Gentlemen of the House of Commons:

We herewith send for your Concurrence a Resolve of this House vesting the Brigadier Generals of this State with certain powers.

Resolved that the Commanding Officer of each Brigade, when on Service, shall appoint an Armourer, whose Business it shall be to attend said Brigade with the necessary Tools and Implements for repairing Arms, &c. That he be allowed a waggon for carrying said tools, and Colonel's pay and Rations, for such Service.

Resolved, that the Commanding Officer appoint Deputies or Assistants to said Armourer, if necessary, who shall be allowed Captain's pay and Rations.

Ordered that the following Message be sent to the House of Commons, with the foregoing Resolve:

We herewith send for your Concurrence a Resolve of this House appointing Armourers to the Brigadier Generals of Militia that shall be ordered on Service hereafter, &c.

Received from the Commons the following Message;

Mr. Speaker & Gentlemen of the Senate:

We herewith return the Resolve of your House vesting the Brigadier Generals of this State with certain powers, Concurred with by this House.

At the same time received the Resolve of this House referred to in the foregoing Message.

Engrossed In the House of Commons 15th May, 1779, Concurred with.

Received from the Commons a Bill for raising regular Forces for the Defence of this & the neighboring States, and for other purposes.

Endorsed In the House of Commons 14th May, 1779, read the third time, amended and passed.

Ordered that the said Bill be read.

Read the same the third time, amended by Consent of both Houses, passed and Ordered to be Engrossed.

Received from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith return the Resolve of your House appointing Armourers to the Brigadier Generals of Militia that shall be ordered on service hereafter, &c. Concurred with by this House.

At the same time received the Resolve of this House referred to in the foregoing Message.

Endorsed in the House of Commons 15th May, 1779, Concurred with.

Whereas, from the great Depreciation of our Currency, and the exorbitant Rise of every necessary of life, it is found that the allowance made the Commissioners for printing and signing Eight hundred and fifty thousand pounds, directed to be Emitted by the General Assembly at Hillsborough, is inadequate to their Services.

Resolved, therefore, that the Superintendants be allowed the further Sum of two Hundred pounds, and that the signers for each thousand Bills they may have signed be allowed the further Sum of four Dollars.

Ordered that the above Resolve, together with the following Message be sent to the Commons:

Mr. Speaker and Gentlemen of the House of Commons:

We herewith send for your Concurrence a Resolve of this House allowing a further Sum to the Superintendants & Signers of the last Emissions of money.

Received from the Commons the following Message:

Mr. Speaker and Gentlemen of the Senate:

We herewith send for your Concurrence a Resolve of this House allowing John Hunt a certain Sum therein mentioned.

At the same time received the Resolve of the Commons referred to in the foregoing Message, which, being read, was Concurred with.

Ordered that the following Message be sent to the House of Commons:

Mr. Speaker & Gentlemen of the House of Commons:

Herewith you will receive the Resolve of your House in favour of Mr. John Hunt, Concurred with.

Resolved, that His Excellency the Governor be empowered to draw on the Continental Treasury for two millions & five hundred thousand Dollars, agreeable to and in consequence of a Resolution of this Session requiring our Delegates to Solicit Congress for that Sum, in order to carry on our Military operations to the Southward, and for other Exigencies of this State.

Ordered that the above Resolve, together with the following Message, be sent to the Commons:

Mr. Speaker & Gentlemen of the House of Commons:

We herewith send for your Concurrence a Resolve of this House empowering His Excellency the Governor to draw on the Continental Treasury for a certain Sum of Money therein mentioned.

Received from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your Concurrence a Resolve of this House directing the Contractor for Wilmington District to deliver Corn to Henry Toomer, Quarter Master, &c.

At the same time received the Resolve of the Commons referred to in the foregoing Message, which, being read, was Concurred with.

Ordered that the following Message be sent to the House of Commons:

Mr. Speaker & Gentlemen of the House of Commons:

We herewith return the Resolve of your House directing the Contractor for Wilmington District to deliver Corn to Mr. Toomer, Concurred with by this House.

Received from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your Concurrence the Report of the Committee appointed to take under Consideration the Case of the Continental Officers, and Concurred with by this House.

At the same time received the Report of the Committee referred to in the foregoing Message, which, being read, was Concurred with.

Ordered that the following Message be sent to the Commons:

Mr. Speaker & Gentlemen of the House of Commons:

We herewith return you the Report of the Committee appointed to take under Consideration the Case of the Continental Officers, Concurred with.

Resolved, that for the future all Waggons which shall be employed with the Militia of this State, when in Service, shall be entitled to receive fifteen Dollars per Day, and all Carts seven Dollars and a half.

Ordered that said Resolve, together with the following Message, be sent to the Commons:

Mr. Speaker & Gentlemen of the House of Commons:

We herewith send for your Concurrence a Resolve of this House stating the pay of Waggons and Carts in the Service of this State.

Received from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your Concurrence a Resolve of this House empowering His Excellency the Governor, with the advice of the Council, to call the Assembly together at a shorter Day than that to which it stands adjonrned, if it should be deemed necessary.

At the same time received the Resolve of the Commons referred to in the foregoing Message, which, being read, was Concurred with.

Ordered that the following Message be sent to the House of Commons:

Mr. Speaker & Gentlemen of the House of Commons:

We herewith return the Resolve of your House empowering His Excellency the Governor, with the advice of the Council, to call the Assembly together at a shorter Day than that to which it stands adjourned, Concurred with by this House.

Received from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith return the Resolve of your House empowering His Excellency to draw on the Continental Treasury for a certain Sum of Money therein mentioned, Concurred with by this House.

At the same time received the Resolve of this House referred to in the foregoing Message.

Endorsed in the House of Commons 15th May, 1779, Concurred with.

Received from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herein return you the Resolve of your House stating the daily pay of Waggons & Carts in the Service of this State, Concurred with.

At the same time received the Resolve of this House referred to in the foregoing Message.

Endorsed in the House of Commons 15th May, 1779, Concurred with.

Received from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your Concurrence a Resolve of this House empowering the Commercial Agent, appointed for this State, to

contract for Arms, &c., also empowering His Excellency the Governor to grant Warrants on the Treasury for such Sums of Money as may be necessary to carry into Effect the purposes therein mentioned.

At the same time received the Resolve of the Commons referred to in the foregoing Message, which, being read, was Concurred with.

Ordered that the following Message be sent to the House of Commons:

Mr. Speaker & Gentlemen of the House of Commons:

Herewith you will receive the Resolve of your House empowering the Commercial Agent of this State to contract for Arms, &c., also empowering His Excellency the Governor to grant Warrants on the Treasury for the necessary Sums of Money to carry into Effect the purposes therein mentioned, Concurred with by this House.

Received from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your Concurrence a Resolve of this House for directing His Excellency the Governor to grant Commissions to certain persons in Bertie County.

At the same time received the Resolve of the Commons referred to in the foregoing Message, which, being read, was Concurred with.

Ordered that the following Message be sent to the Commons:

Mr. Speaker & Gentlemen of the House of Commons:

We herewith return the Resolve of your House requesting His Excellency the Governor to grant Commissions to certain persons in Bertie County, Concurred with.

Received from the Commons the following Message:

Mr. Speaker & Gentlemen of the House of Commons:

We herewith send for your Concurrence a Resolve of this House requesting His Excellency the Governor to issue a Commission

of Brigadier General to Isaac Gregory, Esqr., of the District of Edenton.

At the same time received the Resolve of the Commons referred to in the foregoing Message, which, being read, was Concurred with.

Ordered that the following Message be sent to the House of Commons :

Mr. Speaker & Gentlemen of the House of Commons :

We herewith return the Resolve of your House requesting His Excellency the Governor to make out a Commission of Brigadier General for the District of Edenton to Isaac Gregory, Esqr., in the stead of John Pugh Williams, Esquire, resigned, Concurred with.

Received from the Commons the following Message :

Mr. Speaker & Gentlemen of the Senate :

We herewith send for your Concurrence a Resolve of this House directing John Ashe, Esqr., Treasurer of the District of Wilmington, to advance a certain Sum therein mentioned to James Bloodworth, Contractor.

At the same time received the Resolve of the Commons referred to in the foregoing Message, which, being read, was Concurred with.

Ordered that the following Message be sent to the Commons :

Mr. Speaker & Gentlemen of the House of Commons :

We herewith return the Resolve of your House directing John Ashe, Esqr., Treasurer for the District of Wilmington, to advance to Jas. Bloodworth a Sum therein mentioned, Concurred with.

Ordered that Mr. Speaker & the Clerk of this House sign the Journals as the Acts and Journals of the Senate.

The Business of the Session being finished, The House adjourned till the first Monday in October, then to sit at Halifax.

Allen Jones, S. S.

By order, Sitgreaves, Clerk.

HOUSE JOURNAL.

STATE OF NORTH CAROLINA,
IN THE HOUSE OF COMMONS, May, 1779.

At a General Assembly begun and held at Smithfield, on the Third Day of May, in the year of our Lord One Thousand seven Hundred and Seventy-Nine, and in the third year of the Independence of the said State, being the first Session of this Assembly.

The Sheriffs and other returning officers within this State certified that the following persons were duly Elected as members of the Commons House of Assembly for the respective Counties and Towns as follows, Viz.:

Anson—Stephen Miller and Charles Medlock.
Brunswick—
Beaufort—Robert Trip and John Kennedy.
Bladen—Thomas Brown and Samuel Cain.
Bertie—
Burke—Thomas Whitson and William Morrison.
Craven—Hardy Bryan and Benjamin Williams.
Chowan—Thomas Benbury and William Boyd.
Cumberland—Robert Cochran and Robert Rowan.
Chatham—Jonathan Harper and John Luttrell.
Currituck—
Camden—Willis Bright and Caleb Grandy.
Carteret—
Caswell—William Moore and Peter Farrow.
Dobbs—Thomas Gray and Jesse Cobb.
Duplin—Richard Clinton and James Gillespie.
Edgecomb—William Haywood and Etheldred Exum.
Franklin—Thomas Sherrod and Green Hill.
Granville—Thomas Person and Philemon Hawkins, Jun.
Guilford—James Hunter and Daniel Gillespie.
Gates—Jacob Hunter and William Baker.
Hertford—William Wynns and Authur Cotton.
Hyde—
Halifax—
Johnston—Lewis Bryan and Phillip Raiford.
Jones—Frederick Harget and Samuel Hill Lincoln.

Martin—Samuel Smithwick and Samuel Williams.
Montgomery—John Kimbrough and Solomon Gross.
Mechlinburg—Caleb Phifer and David Wilson.
New Hanover—John A. Campbell and Timothy Bloodworth.
Northampton—Robert Peebles and James Vaughan.
Nash—William Horn and Thomas Hunter.
Orange—William M. Crawley and Mark Patterson.
Onslow—James Howard and Edward Starkey.
Perquimans—
Pasquotank—
Pitt—James Gorham and John Williams.
Rowan—
Randolph—
Rutherford—
Surry—Gray Bynum and Frederick Miller.
Tyrrel—Benjamin Spruill and Joshua Swain.
Wilkes—
Washington—
Warren—Joseph Hawkins and John Macon.
Wake—Thomas Hines and John Hunter, Jun.

Towns.

Wilmington—William Hooper.
New Bern—Richard Cogdell.
Edenton—Robert Smith.
Halifax—Henry Montford.
Hillsborough—
Salisbury—

Pursuant to which the following Members appeared and qualified, by taking the several Oaths by Law appointed for the qualification of Members of the General Assembly, subscribed the same and took their Seats, to wit, Messrs.,

William Haywood.	Henry Montford.
William McCrawley.	John Williams.
Mark Patterson.	Joseph Hawkins.
Wm. Morrison.	James Gorham.
David Wilson.	Daniel Gillespie.
Caleb Phifer.	James Hunter.
Stephen Miller.	Jonathan Harper.

Charles Medlock.	Hardy Bryan.
Wm. Horn.	Phil Hawkins.
Thomas Hunter.	John Kennedy.
Richard Cogdell.	James Howard.
Lewis Bryan.	Phillip Raiford.
Thomas Hines.	James Gillespie.
John Hinton.	John Luttrell.
Timothy Bloodworth.	John A. Campbell.
Jesse Cobb.	Robert Tripp.
Thomas Benbury.	Willis Bright.
Fred. Harget.	Richard Clinton.
Saml. Hill.	Solomon Gross.
Gray Bynum.	James Vaughan.
Green Hill.	Peter Farrow.
Thomas Sherrod.	Joshua Swain.
John Macon.	Benjamin Spruill.
Robert Rowan.	Jacob Hunter.
Robert Cochran.	William Boyd.
Thomas Brown.	Thomas Person.
Samuel Williams.	Samuel Cain.
Authur Cotton.	Thomas Gray.

Mr. Bloodworth proposed for Speaker, Thomas Benbury, Esquire, who was unanimously chosen and conducted to the Chair accordingly.

On motion, John Hunt was appointed Clerk and Mr. John Haywood assistant: who were qualified and took their Seats.

On motion, Evan Swain and John Gooding were appointed Door keepers.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen of the Senate:

This House being now formed acquaint you that they are ready to proceed on the dispatch of Publick business.

Resolved, that the following Rules of decorum be observed during the sitting of this House:

1st. When the Speaker is in the Chair, every Member shall sit in his place with his Hat off.

2nd. That no person shall pass between the Speaker and the Member then Speaking.

3rd. That no member shall be allowed to speak but in his place; and after rising and addressing himself to the Speaker shall not proceed until permitted by the Speaker calling him by name.

4th. That no member shall come into the House, or remove from one place to another, with his Hat on.

5th. No person shall stand up or disturb another while he is speaking.

6th. That no member shall speak more than twice on one Question, in any debate, without leave, unless in a Committee of the whole House.

7th. The Speaker ought to be heard without Interruption, and when he rises, the member up shall sit down.

8th. That no person shall be called on, for any words of heat, but on the Day in which they were spoken.

9th. Whenever the members are divided the Speaker shall determine the Question, but not vote on any other occasion.

10th. That no member shall depart the Service of the House without leave.

11th. No Question shall be put on any motion made unless the same is seconded.

12th. When two or more members are up together; the Speaker shall determine which rose first.

13th. Whoever violates any of the above Rules shall receive such censure as the House shall Direct.

Resolved that Mr. Person, Mr. Bloodworth, Mr. Phil. Hawkins, Mr. Haywood, Mr. Hinton, Mr. Gorham, Mr. Rowan, Mr. Medlock and Mr. Hill, be a Committee of priviledges and Elections.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen of the House of Commons:

In answer to yours we inform you that this House is likewise formed and ready to proceed to business, and propose that the address herewith sent you be presented to His Excellency the Governor.

At the same time received the address referred to in the above Message, and the same being read was ordered to lie on the Table for Consideration.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen of the House of Commons:

This House propose, if agreeable to the House of Commons, to Ballot at 5 o'Clock this Evening for a Governor & Council of State, and put in nomination for Governor, Richard Caswell, Esquire; for a Council of State, Joseph Leech, Robert Bignall, John Simpson, William Bryan, William Whitfield & John Spicer. Should your House accede to this Measure you will signify the same by Message.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen of the Senate:

This House have received the Message of yours proposing to Ballot at 5 o'Clock this Evening for a Governor & Council of State, with which we concur, and do, on our part, put in nomination for Governor, Richard Caswell, Esquire; For a Council of State, Joseph Leech, Robert Bignall, John Simpson, William Whitfield, Isaac Guyon, Henry Rhodes, John Sampson & John Spicer, Esquires.

This House have appointed Mr. Person & Mr. Bloodworth to superintend the Balloting on their part.

Resolved, that the Reverend Charles Cupples be appointed Chaplain to this present General Assembly to perform Divine Service at such times as they shall think proper.

Ordered that the above Resolve be sent to the Senate for their Concurrence, together with the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your Concurrence a Resolve of this House appointing a Chaplain to the present General Assembly.

The House Adjourned til 4 o'Clock P. M.

The House met according to Adjournment.

Mr. Person, one of the Committee, on the part of this House, appointed to superintend the Balloting for a Governor & Council, Reported that Richard Caswell, Esquire, was unanimously Elected Governor; That Joseph Leech, Robert Bignall, John Sampson, John Simpson, Thomas Respass, Sen., Isaac Guyon and William Whitfield, Esquires, were Elected a Council of State, by a Majority of the votes of both Houses.

The House taking the said Report into Consideration, concurred therewith.

Ordered that the following Message be addressed to His Excellency the Governor:

To His Excellency, Richard Caswell, Esquire, Captain General, Governor, &c.:

Sir:

The General Assembly this day proceeded to the appointment of a Governor for the current year. You, Sir was unanimously Elected to fill that important office; we therefore hope you will qualify and proceed in the Election thereof.

Ordered that the above address be sent to the Senate for their Concurrence, together with the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your Concurrence a Message addressed to His Excellency the Governor. Should you concur therewith you'l send one of your members with Mr. Person, who is appointed by this House, to wait on His Excellency with the same.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen of the House of Commons:

We herewith return your Resolve appointing the Revd. Charles Cupples, Chaplain to the present Assembly, concurred with.

At the same time received the Resolve of this House, referred to in the above Message, concurred with.

The House Adjourned till To-morrow morning 9 o'clock.

Tuesday, 4th May, 1779.

The House met according to Adjournment.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen of the House of Commons:

Whereas, a number of persons are waiting on this Assembly to have their Claims allowed, which if not done may have a tendency to destroy the Faith & Credit of the Publick;

Resolved, therefore, that Gen. Rutherford, Oroondates Davis and John Rand, be a Committee, to act with Gentlemen appointed by the House of Commons, to receive & pass the Public Claims at Colo. William Bryan's; and that Col. Kenan, Col. Rhodes, Major Owen & Mr. McKenzie, be a Committee, to act with Gentlemen appointed by the Commons, to receive and pass Claims at Mr. Needham Bryan's; and that Mr. Ramsey, Mr. Hogan & Mr. Seawell, be a Committee, to Act with the Gentlemen appointed by the Commons, to receive & pass Claims at Mr. John Smith's; and that Mr. Exum, Mr. Faulcon, Mr. Salter & Mr. Hunt, be a Committee, to act with Gentlemen appointed by the Commons, as a Committee of Accounts, to sit at Mr. John Smith's.

Resolved, that Mr. Cogdell, Mr. Clinton, Mr. Phifer, Mr. Hines, Mr. Montford, Mr. Wilson and Mr. Campbell, be a Committee of Claims, on the part of this House, to Act with the Gentlemen appointed by the Senate for that purpose, to sit at Col. William Bryan's. That Mr. Horn, Mr. Hunter, Mr. Macon, Mr. Boyd, Mr. McCrawley, Mr. Vaughan and Mr. Joseph Hawkins, be a Committee of Claims, on the part of this House, to Act with the Gentlemen appointed by the Senate for that purpose, to sit at Mr. John Smith's. That Mr. Cain, Mr. Howard, Mr. Williams, Mr. Gillespie, Mr. Cochran and Mr. Brown, be a Committee of Claims, on the part of this House, to act with the Gentlemen appointed by the Senate for that purpose, to sit at Mr. Needham Bryan's; and that Mr. Person, Mr. G. Hill, Mr. T. Gray, Mr. P. Hawkins, be a Committee of Accounts, on the part of this House, to Act with the Gentlemen appointed by the Senate for that purpose.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen of the Senate:

This House have rec'd the Resolve of yours appointing Committees of Claims and Accounts, to Act with such Gentlemen of this House as might be appointed for these purposes, and have appointed Mr. Cogdell, Mr. Clinton, Mr. Phifer, Mr. Hines, Mr. Montfort, Mr. Wilson and Mr. Campbell, to act with the Gentlemen by you appointed, to settle and allow Claims at Colo. Bryan's, and Mr. Horn, Mr. Hunter, Mr. Macon, Mr. Boyd, Mr. McCrawley, Mr. Vaughan and Mr. Joseph Hawkins, to act with the Gentlemen by you appointed, to settle & allow Claims at Mr. John Smith's; and Mr. Cain, Mr. Howard, Mr. Williams, Mr. Gillespie, Mr. Cochran and Mr. Brown, to Act with the Gentlemen by you appointed, to settle and allow Claims at Mr. Needham Bryan's, and Mr. Person, Mr. G. Hill, Mr. T. Gray & Mr. P. Hawkins, to Act with the Gentlemen by you appointed, as a Committee of Accounts.

Received from His Excellency the Governor the following Message:

To the Honorable, the General Assembly of the State of North Carolina.

GENTLEMEN:

In answer to your Message of yesterday acquainting me that you had made choice of me as Governor of the State for the Current year, and requesting that I would qualify and proceed in the Execution of that important office.

I take the Liberty of informing you that it would have been much more agreeable to me to have returned to my own concerns in private life, which have suffered much by my having from the first of our Disputes with Great Britain Given up my whole time to the service of the Public, and altho' the General Assembly have heretofore made such allowances as might have been considered as Adequate to my services, yet the depreciation of Currency has been such as to render such allowances far short of the expenses incident to my appointment.

The appointment is, I know, important, and the manner in which I have received it very Honorable, yet I am morally Cer-

tain the General Assembly do not wish me to make so Great a sacrifice in prejudice to my Family, therefore, in order to prevent delay in the necessary Business, and in full confidence that a Reasonable allowance will be made me, or that my Resignation will be received, I have qualified to the appointment and shall proceed in the execution of the office.

R. CASWELL.

Ordered that the above Message from His Excellency the Governor, together with the following Message, be sent to the Senate:

Mr. Speaker & Gentlemen of the Senate:

Herewith you will receive a Message from His Excellency the Governor, addressed to the General Assembly.

Received from His Excellency the Governor the following Message:

To the Honorable the General Assembly of the State of North Carolina:

GENTLEMEN:

The raging of the Small Pox in the Town of New Bern, having prevented your assembling there on the Time appointed by Law for the annual meeting of the General Assembly, and being, myself, of opinion that our public affairs required as speedy a meeting of the Legislature as might be practicable, but not having power to call the same to any other place, than that to which the same stood adjourned, I was induced to request your attendance at this place, not only for the purpose of making your Election of the public officers of the State, who are directed by the Constitution to be annually chosen, but also to take under consideration sundry weighty matters proper for your deliberation, such as the State of your Continental Battalions, the pay of our Militia which have been and now are in actual service, the sending a further aid to the assistance of the Southern States, and providing our Militia with Arms and accoutrements.

To show the necessity of your entering immediately upon the Consideration of these matters, I lay before you sundry Letters from the General Officers, and Governor of South Carolina, with

other Papers containing information respecting the same, and I shall direct the public accounts to be also laid before you, by which, you will be acquainted with the exhausted state of the Treasury. You will also receive General Bryan's Resignation, whose place you will please supply by the appointment of such person as you shall think proper.

4th May, 1779.

R. CASWELL.

At the same time received the Letters and other papers referred to in the above Message, and the same being read were ordered to be sent to the Senate, together with the following Message:

Mr. Speaker & Gentlemen of the Senate:

This House have received a Message from His Excellency the Governor, Addressed to the General Assembly, together with the sundry Letters and other papers, therein referred to, which we herewith send for your perusal.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen of the House of Commons:

We herewith send for your Concurrence the Resolve of this House appointing a Committee, to act with such Gentlemen as your House may think proper to appoint, to consider of the Salaries of the Several Public Officers of State.

At the same time received the Resolve of the Senate referred to in the above Message, and the same being read,

Resolved, that Mr. Haywood, Mr. Person, Mr. G. Hill, Mr. P. Hawkins, Mr. Campbell, Mr. Bloodworth, Mr. Gorham and Mr. Hinton, be a Committee, on the part of this House, to act jointly with the Gentlemen of the Senate, for the purpose before mentioned.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen of the Senate:

This House have received the Message & Resolve of yours appointing certain Gentlemen therein mentioned to act jointly with such as might be appointed by this House as a Committee to consider of the Salaries of the Several State officers, And have for that purpose, on their part, appointed Mr. Haywood, Mr. Per-

son, Mr. G. Hill, Mr. P. Hawkins, Mr. Campbell, Mr. Bloodworth, Mr. Gorham & Mr. Hinton, a Committee.

Mr. Edward Starkey, one of the members for Onslow County, appeared, was qualified and took his seat.

The House Adjourned til To-morrow Morning 8 o'Clock.

WEDNESDAY, 5th May, 1779.

The House met according to Adjournment.

Mr. Joseph Hancock, one of the members for Hyde County; Mr. William Wynns, one of the Members for Hertford County; Mr. James Campbell, one of the members for Bertie County, and Mr. Willie Jones, one of the members for Halifax County, appeared, were qualified and took their Seats.

Whereas, Walter Gibson, Esqr., of Bladen County, one of the Nine Month's men in apprehending a Deserter, received a wound whereby he is disabled from Military Service, therefore

Resolved, that he be discharged from the same.

Ordered that the above Resolve be sent to the Senate for their Concurrence, together with the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your Concurrence a Resolve of this House in favour of Walter Gibson, Esquire, and sundry papers relative thereto.

Read the recommendation of General McIntosh in favour of James Christian, a disabled Soldier.

Resolved, that Mr. Person, Mr. Hawkins, Mr. Bloodworth, Mr. Starkey, Mr. Hunter, Mr. Harper & Mr. Horn, be a Committee to take the same into consideration and report what allowance ought to be made to the said James Christian.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen of the House of Commons:

This House have entered into a Resolve to admit or receive no Bills during the present Session of Assembly except those of Public or General Concern.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen of the Senate:

This House have received the Message of yours informing that you will not admit or receive any Bills during the present Session of Assembly except those of a Public or General Concern, with which we agree.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen of the House of Commons:

This House have appointed Messrs. Davis, Rand, Respass, and Irwin, a Committee, to act jointly with such Gentlemen as you may think proper to appoint, to prepare and bring in such Bills of a Public nature as are necessary to be passed into Laws.

Resolved, that Mr. Jones, Mr. Starkey, Mr. Gray, Mr. Person, Mr. Haywood, Mr. Horn, Mr. Cogdell, Mr. Hawkins & Mr. Hill, be a Committee, on the part of this House, to act jointly with the Committee appointed of the Senate, for the purposes above mentioned.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen of the Senate:

This House have appointed Mr. Jones, Mr. Starkey, Mr. Gray, Mr. Person, Mr. Haywood, Mr. Horn, Mr. Cogdell, Mr. Hawkins and Mr. Hill, a Committee, on their part, to act jointly with the Committee appointed by the Senate, to prepare and bring in such Bills of a Public nature as are necessary to be passed into Laws.

Resolved, that the Commissary of Stores be, and he is hereby directed to furnish William Bufort, who has served as a Cornet in Capt. Samuel Ashe's Troop of Light Horse, with a suit of Cloaths at the same price that other officers in the service of this State are entitled to draw them at.

Ordered that the above Resolve be sent to the Senate, for their Concurrence, together with the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your Concurrence a Resolve of this House in favour of Henry Bufort.

Received from His Excellency the Governor the following Messages:

To the Honorable the General Assembly:

GENTLEMEN:

Herewith you will receive a Letter from the War Office, inclosing an order of that Board respecting the officers of the Third North Carolina Regiment, which I beg leave to refer to your Consideration.

5th May, 1779, R. CASWELL.

To the Honorable the General Assembly:

GENTLEMEN:

I have this day received Several Resolutions of Congress, recommending certain measures for the defence of the Southern States, which I send for your perusal and Consideration.

5th May, 1779. R. CASWELL.

At the same time received the Several Letters, Resolutions, of Congress, &c., &c., referred to in the above Messages, and the same being read were ordered to be sent to the Senate, together with the following Message:

Mr. Speaker and Gentlemen of the Senate:

Herewith you will receive two Messages from His Excellency the Governor, Addressed to the General Assembly, together with the several Letters, Resolutions of Congress, &c., therein referred to.

The Chairman of the Committee of Claims Reported that there is due to James Glasgow, Esqr., Secretary, the sum of one Thousand Three Hundred and fifty-seven pounds Sixteen Shillings and nine pence, for Money expended & paid for sundry Public Services, as appears by his Account filed.

Resolved, therefore, that the Treasurers or either of them pay the said James Glasgow, Esquire, Secretary, the aforesaid sum of one Thousand Three Hundred and fifty-seven pounds Sixteen Shillings & nine pence, and be allowed.

Ordered that the above Resolve be sent to the Senate, for their Concurrence, together with the following Messsage:

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your Concurrence a Resolve of this House in favour of James Glasgow, Esquire, Secretary.

On reading the Petition of Captain Francis Tartasan,

Resolved, that His Excellency the Governor be requested to grant a Commission of Lieutenant Colonel to the said Francis Tartasan, as a Testimony of our approbation of his conduct, and in order to give him Rank in his native County: provided, nevertheless, that the said Francis Tartasan shall not be entitled to any pay or Rank in this State in Consequence of such Commission.

Resolved, also, that Mr. Craik, the Commissary of Stores, be directed to supply Mr. Tartasan with a suit of Cloaths, upon the same terms, provided by former Resolutions respecting Continental Officers in the service of this State.

Ordered that the above Resolve be sent to the Senate for their Concurrence, together with the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your Concurrence a Resolve of this House in favour of Captain Francis Tartasan.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen of the House of Commons:

The Resolve of your House in favour of Henry Bufort, we herewith return, Concurred with.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen of the House of Commons:

The Resolve of your House in favour of James Glasgow, Esquire, we herewith return, Concurred with.

At the same time received the Resolves of this House referred to in the above Message, Concurred with.

Resolved, that Mr. John Montgomery, of Chatham County, deliver unto Mrs. McDonald, Wife to Alexander McDonald, or to her order, a Still which he has in his possession, the property of the said Alexander McDonald.

Ordered that the above Resolve be sent to the Senate, for their Concurrence, together with the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your Concurrence a Resolve of this House in favour of Mrs. McDonald, wife to Alexander McDonald.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen of the House of Commons:

Herewith you'l receive the Resolve of your House in favour of Captain Tartasan, Concurred with.

At the same time received the Resolve of this House referred to in the above Message, Concurred with.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen of the House of Commons:

We herewith return the Resolve of your House in favour of Mrs. McDonald, Concurred with.

At the same time received the Resolve of this House referred to in the above Message, Concurred with.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen of the House of Commons:

Herewith you will receive the Petition of Thomas Case, and the Resolve of the Senate thereon, which we send for your Concurrence.

At the same time received the Resolve of the Senate, &c., referred to in the above Message, and the same being read was Concurred with.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen of the Senate:

We herewith return the Resolve of your House in favour of Thomas Case, Concurred with.

The House Adjourned till To-morrow Morning 8 o'clock.

THURSDAY, 6th May, 1779.

The House met according to Adjournment.

Mr, Ethelred Exum, one of the members for Edgecomb County; Mr. Frederick Miller, one of the members for Surry County; Mr. Thomas Reding, one of the members for Pasquotank County; and Mr. John Kimbrough, one of the members for Montgomery, appeared, were qualified and took their Seats.

The Honorable the Speaker laid before the House a Letter from the Governor of Virginia to Gov. Caswell, requesting that an aid from this State be sent to the assistance of Georgia; that in lieu of such Aid from this State, Virginia would send the same number of Men to do duty here until their return.

Also one other Letter from Brigadier General Sumner, with a return of the North Carolina Brigade under his Command, and the same being read were ordered to be sent to the Senate together with the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your perusal a letter from the Governor of Virginia to Governor Caswell, of the 17th of April last; and also one other Letter from General Sumner, the 10th, with a return of the North Carolina Brigade under his Command.

The House Adjourned til To-morrow Morning 9 o'Clock.

FRIDAY, 7th May, 1779.

The House met according to adjournment.

Mr. Robert Smith, the Member for the Town of Edenton, appeared, was qualified and took his Seat.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen of the House of Commons:

We herewith send for your Concurrence a Resolve of this House impowering the Treasurers to receive of the Sheriffs, Collectors & Entry Takers, the Emissions of 20th May, 1777, and 11th April, 1778.

At the same time received the Resolve of the Senate referred to in the above Message, and the same being read was Concurred with.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen of the Senate:

We herewith return the Resolve of your House impowering the Treasurers to receive of the Sheriffs, Collectors & Entry Takers, the Emissions of 20th May, 1777, and 11th April, 1778.

Col. Haywood, from the joint Committee appointed to Consider what Bills of a General nature are necessary to be passed into laws during the present Session, Reported as follows:

That it is absolutely necessary the following Bills should be passed into Laws, Viz.

A Bill for raising Troops to fill up the Continental Battalions belonging to this State.

A Bill to enable the overseers of the poor to lay a further or greater Tax.

A Bill for ascertaining the Salaries of the Governor and other officers.

A Bill for Establishing a State Loan office.

A Bill to enable the Governor with the advice of the Council to raise and March two Thousand or less of the Militia to the Assistance of South Carolina.

The House taking the said Report into Consideration, Concurred therewith.

Ordered that the above Report be sent to the Senate for their Concurrence, ogetther with the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your Concurrence the Report of the joint Committee appointed to consider what Bills of a General nature are necessary to be passed into Laws during the present Session, Concurred with by this House.

The Honbl. the Speaker laid before the House two letters from Colo. Jonas Johnston, of the 3rd of April last, addressed to the Speakers of the General Assembly, &c., as also one other from James Davis, Esqr., and the same being read were ordered to be

sent to the Senate, for their perusal, together with the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your perusal two letters from Colo. Jonas Johnston, of the 3rd of April last, addressed to the Speakers of the General Assembly, &c., as also one other from James Davis, Esqr.

On motion,

Resolved, that Major General Ashe have leave to lay before this House To-morrow such papers, &c., as he may think necessary relative to his late Expedition to the Southward.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen of the House of Commons:

We herewith return the Report of the Committee appointed to Consider what Bills of a General nature are necessary to be passed into laws during this present Session, Concurred with by this House.

At the same time received the Report referred to in the above Message, Concurred with.

Mr. Gray moved for leave and presented a Bill for raising Regular Forces for Defence of the United States, and for relieving the good People of this State, as far as may be, from the Inconveniences of Drafts, and for other purposes, which was read the first time, passed and sent to the Senate.

Mr. Starkey moved for leave and presented a Bill for continuing and amending an Act for allowing Salaries to the Governor, Members of the Council of State, Secretary, Treasurers, & for other purposes, which was read the first time, passed and sent to the Senate.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen of the House of Commons:

This House have appointed Oroondates Davis, Esquire, to act with such Gentlemen as you may think proper to appoint, as a Committee to draw up and make Report of Instructions to His Excellency the Governor relative to the letter of His Excellency, Governor Henry to Him.

Resolved, that Mr. Jones be appointed to act with Mr. Davis for the purposes above mentioned.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen of the Senate:

This House have received the Message of yours appointing Mr. Davis, to act with such Gentlemen as might be appointed by this House, to draw up and report Instructions to be given His Excellency the Governor relative to the Letter from His Excellency Governor Henry, &c., and have, for that purpose, on their part, appointed Mr. Jones.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen of the House of Commons:

We herewith send for your Concurrence a Resolve of this House directing Mr. Owen to deliver the Bonds for the Hire of McKnight's Negroes, into the hands of Colo. Ramsey, who is thereby directed to collect & account for the Monies for said Bonds with the next General Assembly.

At the same time Received the Resolve of the Senate referred to in the above Message, and the same, being read, was concurred with.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen of the Senate:

We herewith return the Resolve of your House directing Mr. Owen to deliver the Bonds for the Hire of McKnight's Negroes, into the hands of Colo. Ramsey, &c., Concurred with by this House.

Mr. Hill moved for leave and presented a Bill for amending an Act for making provisions for the poor, and for other purposes, which was read the first time, passed and sent to the Senate.

Received from the Senate the Bill for emitting Money for Defraying the expense of the War, and other purposes therein mentioned.

Ordered that the said Bill be read.

The same was read the first time, passed and sent to the Senate.

Read the Petition of Charles Medlock, Colo. of the Anson Regiment of Militia, praying, &c.

Ordered that the same be referred to a joint Committee. That for this purpose Mr. Bloodworth, Mr. Jones and Mr. Person, be a Committee on the part of this House.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen of the Senate:

We herewith send you the Petition of Charles Medlock, Colonel of the Anson Regiment of Militia, which this House propose referring to a joint Committee, and have, for that purpose, on our part appointed Mr. Bloodworth, Mr. Jones and Mr. Person, a Committee.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen of the House of Commons:

We herewith send for your Concurrence a Report of the Committee of Claims relative to David Caldwell, Contractor for Salisbury District, Concurred with by this House.

At the same time received the Report of the Committee of Claims, referred to in the above Message, and the same being read was Rejected.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen of the Senate:

We cannot concur with your House in receiving the Report of the Committee of Claims respecting Messrs. Caldwell and Dixon, because by the Rule Established at New Bern for regulating the manner of conducting Business in the General Assembly, which has never been altered, it was determined that all Reports of Committees, constituted by Members of both Houses, should be first read in the House of Commons.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen of the House of Commons:

Herewith you will Receive a Resolve of this House relative to the Proceedings of the Committees of Accounts & Claims.

At the same time received the Resolve of the Senate referred to in the above Message, and the same being read was Rejected.

Resolved, that His Excellency the Governor be requested to grant a warrant on the Treasury in favour of David Caldwell, for the sum of Eight Thousand nine Hundred & Sixty-two pounds three Shillings, to enable him to discharge sundry Contracts for provisions, &., he first giving Bond & Security to account with the General Assembly at their next Session for the same.

Ordered that the above Resolve be sent to the Senate, for their Concurrence, together with the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your Concurrence a Resolve of this House requesting His Excellency the Governor to grant a warrant on the Treasury in favour of David Caldwell, for certain sum therein mentioned.

Resolved, that George Pearce and John Simmons, of Franklin County, be for the future exempted from the payment of Taxes, they being recommended by the Court of the said County as proper persons to be exempted.

Ordered that the above Resolve be sent to the Senate, for their Concurrence, together with the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your Concurrence a Resolve of this House for exempting the persons therein mentioned from the payment of Taxes.

Read the Petition of Stephen Snell and James Spellen, praying, &c.

Ordered that the same be referred to a Committee; that Mr. Jones, Mr. Montford, Mr. Haywood, Mr. Smith and Mr. Lewis Bryan, be a Committee for that purpose.

This House being informed that the Commissary of the Militia, imbodied in Wilmington District, and the Commissary of the State Regiment, have issued Rum to the Soldiers belonging thereto, on a supposition that they were entitled to the same under the expression in the Militia Law, which declares that they shall have the same pay & Rations as Continental Troops, and being of

opinion that such allowance is not included within the meaning of that expression,

Resolved, therefore, that His Excellency the Governor be desired to issue orders to the proper officers Countermanding such allowances in future, as no charge for Rum, issued to any Troops while in the State (the Men lately drafted to March to the Southward excepted), will be hereafter allowed, unless by Law directed.

Resolved, that His Excellency the Governor be directed to issue orders to General Lillington to discharge the Militia, imbodied in Wilmington District, immediately.

Ordered that the above Resolve be sent to the Senate, for their Concurrence, together with the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your Concurrence a Resolve of this House requesting His Excellency the Governor to issue orders to the proper officers Countermanding the issuing any spirits to the Militia Soldiers, &c., as also orders to General Lillington to discharge the Militia imbodied in the District of Wilmington.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen of the House of Commons:

This House have received your Message and Resolve for exempting certain persons from payment of Taxes, and herewith return you the Resolve, Concurred with.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen of the House of Commons:

The Resolve of your House impowering David Caldwell to draw a certain sum of Money from the Treasury we return you, with this, Concurred with.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen of the House of Commons:

We have received your Message appointing a Committee to take under consideration the Petition of Colo. Medlock, and have for that purpose, on our part, appointed Colo. Irwin and Mr. Childs, to act with the Gentlemen by you appointed.

At the same time received the several Resolves of this House referred to in the above Message, Concurred with.

The House Adjourned til Saturday Morning 9 o'Clock.

SATURDAY, 8th May, 1776.

The House met according to Adjournment.

Mr. Absolom Tatum, one of the Members for Randolph County, appeared, was qualified and took his Seat.

The House being informed that Mr. Absolom Tatum, one of the Members for Randolph County, was Clerk of the Court of the said County, and of course not entitled to a Seat in this House, therefore,

Resolved, that a writ of Election issue to the said County for the Election of one member of this House in the room of the said Tatum, That the said election be held on the 17th and 18th Day of June next.

Mr. Haywood, from the Committee to whom was referred the Petition of Stephen Snell and James Spellen, Prisoners, paroled to Halifax, &c., Reported as follows:

That having duly considered the prayer of the said Petition, we are of opinion that there is not even a probability of any Cartel's taking place by which they cou'd possibly be exchanged, and are therefore of opinion that they continue at Halifax under the Regulations and provisions that other prisoners paroled to Halifax are.

The House taking the said Report into Consideration, Concurred therewith.

Ordered that the above Report be sent to the Senate, for their Concurrence, together with the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your Concurrence the Report of the Committee to whom was referred the Petition of Stephen Snell and James Spellen, Concurred with by this House.

Mr. Bloodworth moved for leave to withdraw and amend the "Bill" for raising Regular Forces for the Defence of the United

States, and for relieving the good People of this State, as far as may be, from the Inconvenience of Drafts, &c.

Ordered that he have leave accordingly.

The Honorable the Speaker laid before the House a Letter from Waightstill Avery, Esqr., Attorney General, Resigning his office.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen of the House of Commons:

Herewith you will receive the Resolve of your House requesting His Excellency to issue orders to the proper officers, countermanding the issuing Spirits to the Militia Soldiers, &c., Concurred with.

At the same time received the Resolve of this House referred to in the above Message, Concurred with.

Received from the Senate the Bill for amending an Act for making provisions for the poor, and for other purposes.

Ordered that the said Bill be read the second time.

The same was read the Second time, amended, passed and sent to the Senate.

Read the Report of the joint Committee appointed to consider of the Salaries of the Several public officers of the State, which was ordered to lie on the Table for further Consideration.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen of the House of Commons:

This House propose, if agreeable to the House of Commons, to Ballot at 4 o'Clock this Evening for Continental Delegates; a Brigadier General for the District of New Bern, in the room of William Bryan, Esquire, resigned; an Attorney General, in the room of Waightstill Avery, Esquire, resigned; a judge of the Superior Courts, in the room of Archibald Maclaine, Esquire, who refuses to act; and the time and place for holding the next General Assembly at; and put in nomination for Delegates, John Penn and Cornelius Harnett, Esquires; for a Brigadier General, William Caswell and John Simpson Esquires; a judge, John Williams, Esquire, of Granville, Attorney General ————.

For the place of holding the next Assembly, Hillsborough, New Bern, Halifax; and for the time when, the first Monday in October and Second Monday in November.

This House have appointed Mr. Seawell and Mr. Exum, on their part, to superintend the Balloting.

Should your House accede to this measure you will Signify the same to the Senate:

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen of the Senate:

This House have received the Message of yours proposing the Ballot at 4 o'Clock this Evening for Continental Delegates; a Brigadier General for the District of New Bern, in the room of William Bryan, Esqr., Resigned; and an Attorney General, in the room of Waightstill Avery, Esquire, resigned; a judge of the Superior Court, in the room of Archibald Maclaine, Esqr., who refuses to act; and the time and place for holding the next General Assembly; to which we agree, and put in nomination for Delegates, John Penn and Cornelius Harnett, Esquires; for a Brigadier General, William Caswell and John Simpson, Esquires; a judge, John Williams, Esq., of Granville, and Richard Henderson; Attorney General, Bromfield Redley, James Williams and Joseph Taylor; For the place of holding the next Assembly, Hillsborough, New Bern, and Halifax; and for the time when, the first Monday in October and Second Monday in November.

This House have appointed Mr. G. Hill and Mr. Starkey, on their part, to superintend the Balloting.

Mr. Jones moved for leave and presented a Bill for Establishing State Loan Offices, for the purpose of borrowing Money to defray the Expences of the War, which he read in his place and Delivered in at the Table where it was again read, passed and sent to the Senate.

Read the Petition of Etheldred Ruffin, complaining of an undue Election in Dobbs County.

Ordered that the same be referred to the Committee of Priviledges and Elections.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen of the House of Commons:

We herewith return the Report of the Committee to which was referred the Petition of Stephen Snell and James Spellen, Concurred with by this House.

At the same time received the Report of the Committee referred to in the above Message, Concurred with.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen of the House of Commons:

Herewith you will receive a Resolve of this House, for your Concurrence, appointing Commissioners to fix upon a place in the Counties of Chatham, Johnston & Wake, the most convenient for holding the General Assembly at, and return Plans thereof to the next General Assembly.

The District of Edenton not being fully represented in this House we expect you will appoint Commissioners for that District in your House.

At the same time received the Resolve of the Senate, referred to in the above Message, and the same being read was ordered to lie over until Monday, for consideration.

Whereas, the proper Education of youth in this State is Highly necessary and would answer the most valuable and Beneficial purposes to the good people thereof; and,

Whereas, the County of Granville, from its situation, both pleasant and healthy, well Watered and abounding with provisions, is a fit and proper place to Erect Buildings for a Seminary of Learning; and,

Whereas, Large Sums of Money have already been subscribed to promote and Encourage such a Laudable and Beneficial Establishment, which, Together with such other sums as may be given in Donations and otherwise, will answer the Expence attending the same; and,

Whereas, it is necessary and Convenient that Trustees should be appointed, with full and ample powers for the Government thereof, and for other purposes;

Resolved, that His Excellency, Richard Caswell, Esqr., Allen Jones, Abner Nash, Samuel Johnston, William Hooper, Henry Patillo, Thomas Person, Richard Henderson, John Williams, Edmund Taylor, John Taylor, William Bullock, Howel Lewis, Memucan Hunt, Philemon Hawkins, jun., Robert Lewis, Charles Rust Eaton, John Young, Samuel Stith, Benjamin Seawell, James Sanders, Osborn Jeffreys, William Johnston, Philemon

Hawkins and Thomas Banks, Esquires, Be and they are hereby Constituted and appointed Trustees, with full power and authority to Receive into their hands and possession all Monies or other Personal property, as also to receive a Grant or Grants in fee for all such Lands as shall be given in Donations, with such Uses and Trust necessary for the purpose aforesaid, And that a Majority of the said Trustees shall be, and they are hereby declared, a Board to make Choice of Land, Receive on Donation, or purchase, the same in the said County, not Containing less than one Thousand Acres of Land, whereon to Erect the Buildings of the Academy aforesaid, which, when Built, shall be Called Granville Hall; and that a Majority of the said Trustees shall be a Board, on other occasions, to make all such Regulations necessary for the Improvement of the said Academy, who are hereby Vested with all such powers and authorities as the Trustees of any Academy in this State by Law possess and hold for the purposes aforesaid, and that a Majority of the Trustees aforesaid shall lay out one Hundred Acres of the said Land into half Acre Lotts, with proper Streets and squares, and when Fifty Lotts are Subscribed for, the same to be drawn by Ballot, and any five of the said Trustees shall make a Deed in fee to the Subscriber, who shall draw a Lott or Lotts as aforesaid.

Ordered that the above Resolve be sent to the Senate, for their Concurrence, together with the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your Concurrence a Resolve of this House for establishing an academy in Granville County, and for other purposes therein mentioned.

The House Adjourned til 4 o'Clock P. M.

The House met according to adjournment.

Mr. Green Hill, one of the Committee appointed, on the part of this House, to Superintend the Balloting for Continental Delegates, a Brigadier General for the District of New Bern, Attorney General, a judge of the Superior Court, the place where and the time when the next Session of Assembly shall be held, Reported,

That by a Majority of the votes of both Houses, Thomas McGuire, Esqr., was Elected Attorney General; John Williams, Esquire, of Granville, a judge; William Caswell, Esquire, Brigadier General; John Penn and Cornelius Harnett, Esquires, Delegates; That the next Session of General Assembly is to be held at Halifax, on the first Monday in October next.

The House taking the said Report into Consideration, Concurred therewith.

The several Matters to this Day referred being postponed the House Adjourned til Monday Morning 8 o'clock.

Monday, 10th May, 1779.

The House met according to Adjournment.

Mr. Robert Peebles, one of the Members for Northampton County; Mr. Miles Abernathy, one of the members for Lincoln; Mr. Thomas Younghusband, one of the members for Currituck; Mr. John Blackstock, one of the members for Pasquotank; appeared, were qualified and took their Seats.

Received from the Senate the Bill for continuing an act for allowing Salaries to the Governor, Members of the Council of State, Secretary, Treasurers, and for other purposes.

Ordered that the said Bill be read the second time.

The same was read the second time, amended, passed and sent to the Senate.

On reading the above Bill the second time, Mr. Person moved for leave to amend it by inserting the words Three Thousand five Hundred pounds, as the Salary of the Governor for the Current year. This was objected to and a greater sum proposed.

Then, on motion, the question was put for 3500, or a greater sum, and carried for the Greater.

Then £6.000 was proposed. This being objected to, the Question was put for £6.000 or a less sum and carried for £6.000, 34 to 23.

Then, on motion, ordered that the yeas and Nays be taken down on the said Question, which are as follows:

Yeas:—Messrs. McCrawley, Patterson, Morrison, Wilson, Miller, Medlock, Horn, Cogdell, Lewis Bryan, Cobb, Harget, S. Hill, Montfort, J. Williams, J. Hawkins, J. Hunter, Harper, H. Bryan, Kennedy, Howard, Raiford, J. Gillespie, Luttrell, Bright, Starkey, Rowan, Cochran, S. Williams, Cotton, Jacob Hunter, Boyd, T. Gray, W. Wynns and R. Smith.

Nays.—Messrs. Haywood, Phifer, Hinton, Bloodworth, Bynum, G. Hill, Sherrod, Macon, D. Gillespie, P. Hawkins, J. Campbell, Tripp, Clinton, Gross, Farrow, Swain, Spruill, Brown, Person, Cain, Exum, F. Miller and Kinbrough.

Mr. Person proposed, as another amendment in the said Bill, that five pounds per Day be allowed to each of the Members of the Council while on Duty. This was objected to and a greater sum proposed. The Question was put for five pounds or a greater sum & carried for the greater. Then Eight pounds was proposed. This being objected to, the question was put & carried in the affirmative.

Then, on motion, ordered that the Yeas and Nays be taken down on the said Question, which are as follows:

Yeas.—Messrs. McCrawley, Patterson, Morrison, Cogdell, L. Bryan, Bloodworth, Cobb, Harget, S. Hill, Montfort, J. Williams, J. Hawkins, D. Gillespie, Harper, H. Bryan, Kennedy, Raiford, J. Gillespie, Tripp, Swain, Starkey, Rowan, Cochran, S. Williams, Cotton, Gray and Smith.

Nays.—Messrs. Haywood, Wilson, Phifer, S. Miller, Medlock, Horn, Hinton, Bynum, G. Hill, Sherrod, Macon, Jas. Hunter, P. Hawkins, J. Howard, J. Campbell, Clinton, Gross, Farrow, Spruill, Brown, Jacob Hunter, Boyd, Person, Cain, Exum, F. Miller, and Kimbrough.

Mr. Bloodworth proposed, as another amendment to the said Bill, that the Public Secretary be allowed two Thousand five Hundred pounds, as a Salary for the Current year, for his public services, exclusive of Fees. This was objected to, and a less sum

proposed. The Question was put for £2500 or a less sum, and carried in the affirmative, 34 to 19.

Then, on motion, that the yeas and Nays be taken down on the said Question, which are as follows:

Yeas.—Messrs. Haywood, McCrawley, Patterson, Wilson, Phifer, S. Miller, Medlock, Cogdell, S. Bryan, Hinton, Bloodworth, Cobb, Harget, S. Hill, Montfort, J. Williams, Harper, H. Bryan, Kennedy, Raiford, J. Gillespie, J. Campbell, Bright, Clinton, Farrow, Starkey, Cotton, Boyd, J. Campbell, W. Wynns, F. Miller, Smith, S. Miller and T. Gray.

Nays.—Messrs. Morrison, Horn, Bynum, G. Hill, Sherrod, Macon, Jas. Hunter, P. Hawkins, Howard, Gross, Swain, Spruill, S. Williams, Jacob Hunter, Person, Cain, Exum, Kimbrough and Brown.

Received from the Senate the following Messsage:

Mr. Speaker & Gentlemen of the House of Commons:

Herewith you will receive the Resolve of your House for establishing an Academy in Granville County, Concurred with.

At the same time received the Resolve of the House referred to in the above Message, Concurred with.

The Honorbl. the Speaker laid before the House a Letter from Genl. William Skinner, Esquire, resigning his Commission as Brigadier General of the District of Edenton.

Ordered that the same be sent to the Senate, together with the following Message:

Mr. Speaker & Gentlemen of the Senate:

You will herewith receive the Resignation of General William Skinner, Esqr., &c.

Received from the Senate the Bill to amend an Act entitled an act for laying a Tax for defraying the Contingencies of the Several Counties in this State, and for other Purposes.

Ordered that the said Bill be read.

The same was read the first time, passed and sent to the Senate.

Received from the Senate the Bill for amending an Act for making provision for the poor, and for other purposes.

Ordered that the said Bill be read the third time.

The same was read the third time, amended, passed and sent to the Senate.

Resolved, that this House will To-morrow proceed to read, for the third and last time, the Bill for continuing and amending an Act for allowing Salaries to the Governor, Members of the Council of State, and for other purposes.

Mr. Rowan moved for leave and presented a Bill to amend an Act entitled an Act for directing the method of appointing Jurors in all Causes, Civil and Criminal, which he read in his place & delivered in at the Table, where it was again read, passed and sent to the Senate.

Mr. Bloodworth presented a Petition from a Number of the Inhabitants of New Hanover County, praying to have a part of the Militia, under the Command of Gen. Lillington, kept up as a Guard over the Salt works, &c.

Ordered that the said Petition be read.

The same being read, was Rejected.

Resolved, that Nicholas Long, Esquire, Deputy Quarter Master General, be, and he is hereby directed, to send to the States of Virginia and South Carolina, for all the Fire Arms, in said States, which have been deposited there by the Soldiers from this State. That he have the same repaired and Stored at Halifax, and return an Account of his expenditures to the Genearl Assembly at their next Session.

Ordered that the above Resolve be sent to the Senate, for their Concurrence, together with the following Messages:

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your Concurrence a Resolve of this House directing Nicholas Long, Esqr., Deputy Quarter Master General, to send to the States of Virginia & South Carolina for Fire Arms, &c.

Resolved, that John Penn and Cornelius Harnett, Esquires, Delegates, appointed by the present General Assembly, to represent this State in Congress the ensuing year, in conjunction with Whitmell Hill, Thomas Burke, Joseph Hewes and William Sharpe, Esquires, be, and they are hereby invested with the same

powers & authorities that the Delegates appointed by the last General Assembly of this State were invested with.

Ordered that the above Resolve be sent to the Senate, for their Concurrence, together with the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your Concurrence a Resolve investing the Honorable John Penn and Cornelius Harnett, Esquires, Delegates, with certain powers.

The House Adjourned til 4 o'Clock P. M.

This House met according to Adjournment.

Resolved, that the Reverend Mr. Charles Cupples be allowed the sum of two Hundred pounds for his attendance as Chaplain to the present General Assembly, that the Treasurers or either of them pay him the same and be allowed.

Resolved, also, that Mr. Cupples have leave to absent himself from any further attendance on this Assembly.

Ordered that the above Resolve be sent to the Senate, for their Concurrence, together with the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your Concurrence a Resolve of this House in favour of the Rev. Mr. Cupples.

Received from the Senate the Bill for establishing State Loan offices, for the purpose of borrowing Money to defray the expences of the War.

Ordered that the said Bill be read the second time.

The same was read the second time and Rejected.

Mr. Maxwell Chambers, the Member for the Town of Salisbury, appeared, was qualified and took his seat.

Received from the Senate the following Messages:

Mr. Speaker & Gentlemen of the House of Commons:

Herewith you will receive the Resolve of your House directing

Nicholas Long, Esquire, Deputy Quarter Master General, to send to the States of Virginia and South Carolina for Fire Arms, &c., Concurred with.

Mr. Speaker & Gentlemen of the House of Commons:

We herewith return the Resolve of your House investing John Penn and Cornelius Harnett, Esquires, with certain powers, Concurred with.

At the same time received the Resolves of this House referred to in the above Messages, Concurred with.

Mr. Bloodworth, who had leave to take out and amend the Bill for raising Forces for the Defence of the United States, &c., brought in the same amended.

Ordered that the said Bill be read the second time, with the amendments.

The same was read the second time, with the amendments, passed and sent to the Senate.

The several Matters to this day referred being postponed, the House Adjourned til to-Morrow Morning 9 o'clock.

TUESDAY, 11th May, 1779.

The House met according to Adjournment.

On reading the Petition of Bryan Crosbie, of Hillsborough, praying for leave to return to England, &c.

Resolved, that His Excellency the Governor be requested to grant a permit to the said Crosbie to embark in any of the vessels bound from this State to Virginia to the French West Islands or any of them.

Ordered that the above Resolve be sent to the Senate, for their Concurrence, together with the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send, for your Concurrence, a Resolve of this House in favour of Mr. Bryan Crosbie.

Mr. Hooper, the Member for the Town of Wilmington, appeared, was qualified and took his Seat.

Resolved, that His Excellency the Governor be requested to Grant a Warrant on the Treasury in favour of Thomas Craik, Esquire, Commissary of Stores, for any Sum of Money not exceeding one Hundred Thousand Pounds, to enable him to purchase Cloathing, &c., for the Continental Soldiers belonging to this State. That for this purpose he immediately proceed to Charles Town in South Carolina, or elsewhere.

Resolved, also, that His Excellency the Governor, with the advice of the Council, be impowered to grant a Warrant on the Treasury for any further sum which may appear necessary.

Resolved, further, that His Excellency the Governor be requested to write to the Governor of South Carolina, requesting that he will give Mr. Craik all necessary aid or assistance in his power, towards the Accomplishment of the End proposed by the preceeding Resolution.

Ordered that the above Resolve be sent to the Senate, for their Concurrence, together with the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your Concurrence a Resolve of this House impowering His Excellency the Governor to Grant a Warrant on the Treasury for a sum of Money not exceeding one Hundred Thousand Pounds, &c., for the purposes therein mentioned.

Order of the Day for reading the third and last time the Bill for continuing and amending an Act for allowing Salaries to the Governor, Members of the Council of State, and for other purposes, being called for and read,

Ordered that the said Bill be read the third time.

The same was read the third time, amended, passed and sent to the Senate.

Received from the Senate the Bill to enable the Governor, with the advice of the Council, to imbody and March to the aid of any of the Neighboring States any Number of the Militia, not exceeding

two Thousand Men, and for directing the method of furnishing the Militia of this State, when called into Actual service, with Baggage Waggons, Horses, &c., and for other purposes.

Ordered that the said Bill be read.

The same was read the first time, passed and sent to the Senate.

Received from the Senate the Bill to amend an Act Entitled an Act for levying a Tax for defraying the Contingencies of the several Counties in this State, and for other purposes.

Ordered that the said Bill be read the second time.

The same was read the second time, amended, passed and sent to the Senate.

Received from the Senate the Bill to amend an Act entitled an act for directing the method of appointing Jurors in all Causes civil and Criminal.

Ordered that the said Bill be read the second time.

The same was read the second time and Rejected.

The House Adjourned til 4 o'Clock P. M.

The House met according to Adjournment.

Received from the Senate the following Messages:

Mr. Speaker & Gentlemen of the House of Commons:

We herewith return the Resolve of your House in favour of Bryan Crosbie, Concurred with.

Mr. Speaker & Gentlemen of the House of Commons:

We herewith return the Resolve of your House impowering His Excellency to grant a warrant on the Treasury for a sum of Money not exceeding one Hundred Thousand Pounds, &c., Concurred with.

At the same time received the Resolves of this House referred to in the above Messages.

Resolved, that three persons be appointed to Adjust the Accounts of this State with the Continental Congress; and that they be directed to observe the due distinctions betwixt the charges proper to be made against the State for expenses incurred for the sole

benefit thereof from those which have been incurred by this State for the benefit of the Continent at large, and that they regulate the vouchers upon which such charges are made, and, in every other matter relative thereunto, they pursue such plan as may best conduce to obtain a full and satisfactory view of such accounts and do justice to this State.

Ordered that the above Resolve be sent to the Senate, for their Concurrence, together with the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your Concurrence a Resolve of this House for appointing Persons to Adjust the Accounts of this State with the Continental Congress, &c.

Received from the Senate the Bill for emitting Money for defraying the expence of the War, and other purposes therein mentioned.

Ordered that the same be read the second time.

The same was read the second time, amended, passed and sent to the Senate.

Read the Petition of John Cruden, Sen., praying to be admitted a Citizen of this State.

Resolved, that the same be referred to a joint Committee. That Mr. Pebles, Mr. Starkey, Mr. Brown, Mr. Cochran and Mr. Medlock, be a Committee, on the part of this House, for the purposes aforesaid.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen of the Senate:

We herewith send you the Petition of John Cruden, Sen., praying to be admitted a Citizen of this State, which we propose referring to a joint Committee, and have, for that purpose, on our part, appointed Mr. Pebles, Mr. Starkey, Mr. Brown, Mr. Cochran and Mr. Medlock, a Committee.

The House Adjourned til To-morrow Morning 8 o'Clock.

WEDNESDAY, 12th May, 1779.

The House met according to Adjournment.

Mr. Samuel Smithwick, one of the Members for Martin County, appeared, was qualified and took his Seat.

Resolved, that the reading of the Bill for raising Regular Forces for the Defence of the United States be postponed until To-morrow Morning.

Resolved, that Mr. Jones, Mr. Rowan, Mr. Person, Mr. Luttrell and Mr. Smith, be a Committee, on the part of this House, to act jointly with such Gentlemen of the Senate as may be appointed, to take into Consideration the Case of our Continental Officers, &c., and making further provision for the same.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen of the Senate:

This House have appointed Mr. Jones, Mr. Rowan, Mr. Person, Mr. Luttrell and Mr. Smith, a Committee, on their part, to act jointly with such Gentlemen of the Senate as may be appointed, to take under Consideration the Case of our Continental officers, and making a further provision for the same.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen of the Senate:

This House have directed their Clerk to make out the Estimate of allowances to their Members, to include Saturday next, at Thirteen Dollars per Day, and desire your Concurrence of the Senate.

Resolved, that Mr. Ambrose Ramsey, Esqr., be appointed Brigadier General of the District of Hillsborough protempore, in the room of Brigadier General Butler who is out upon Duty, that a certificate of his appointment, Signed by the Speakers of the Assembly, shall operate as a Commission.

Ordered that the above Resolve be sent to the Senate, for their Concurrence, together with the following Message;

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your Concurrence a Resolve of this House

appointing a Brigadier General for the District of Hillsborough protempore.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen of the House of Commons:

We herewith return the Resolve of your House for appointing persons to adjust the Accounts of this State with the Continental Congress, &c., Concurred with.

At the same time received the Resolve of this House referred to in the above Message, Concurred with.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen of the House of Commons:

This House have received your Message, with the Petition of John Cruden, and have appointed Mr. Johnston and Mr. Irwin, to act with the Gentlemen by you appointed, as a Committee to take under Consideration said Petition.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen of the House of Commons:

This House have appointed Mr. Johnston, Mr. Davis and Mr. Sanders, to Act with the Gentlemen by you appointed, to take under Consideration the Case of the Continental Officers, &c.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen of the House of Commons:

This House have ordered the clerk to make out the Estimate to include Saturday next, and propose that the members should be allowed Ten Dollars per Day each; also that those Members who went to New Bern should be allowed for going there and returning. Should your House concur with this you will signify the same by Message.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen of the Senate:

This House cannot agree that the Daily allowance of the Members should be Ten Dollars only as recommended by your House, as

they think Thirteen Dollars barely adequate, considering their expences.

We propose that all the Members who set off to New Bern to attend the Assembly which was to have met on the first Monday in April last should be paid for the time they were traveling to and attending at New Bern, and not confine it only to those who attended there, as recommended by the Senate.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen of the House of Commons:

This House observe a certain Ephraim Barns is recommended as a Justice of the Peace for the County of Edgecomb, whose name was erased by order of this House before the Book of Justices was sent to the Commons, we hope therefore that your House will consent to strike off that name again, as the Senate suppose there is already a sufficient Number of Justices in that County.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen of the Senate:

This House have received the Message of yours proposing to strike the name of Ephraim Barns from the Book of Justices, and cannot Concur therewith.

Received from the Senate the following Message:

Mr. Speaker and Gentlemen of the House of Commons:

Herewith you will receive the Resolve of your House appointing a Brigadier General protempore, for the District of Hillsborough, Concurred with.

At the same time received the Resolve of this House referred to in the above Message, Concurred with.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen of the House of Commons:

This House have received your Message relative to the daily pay of the members, &c., and concur therewith.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen of the House of Commons:

We herewith send for your Concurrence a Resolve of this House relative to the Sale of certain Guns therein mentioned.

At the same time received the Resolve of the Senate referred to in the above Message, and the same being read was Rejected.

Whereas, by omission of the Sheriff of Orange County, the Town of Hillsborough is Destitute of Commissioners.

Resolved, therefore, that the Sheriff of the said County be impowered to hold an Election on the first Monday in June next, for seven Persons qualified for the purpose to regulate the said Town agreeable to an act of Assembly for that purpose, and that they hold and exercise all the powers and authorities that the Managers thereof have been heretofore invested with untill their next annual Election.

Ordered that the above Resolve be sent to the Senate, for their Concurrence, together with the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your Concurrence a Resolve of this House impowering the Sheriff of Orange County to hold an Election for Commissioners for the Town of Hillsborough.

[NOTE. Here there is a hiatus in the MSS. Journals.—ED.]

LIST OF MEMBERS:

William Haywood,	John Campbell,
William McCrawley,	Robert Tripp,
Mark Patterson,	Willis Bright,
William Morrison,	Richard Clinton,
David Wilson,	Solomon Gross,
Caleb Phifer,	James Vaughan,
Stephen Miller,	Peter Farrow,
Charles Medlock,	Joshua Swain,
William Horn,	Benjamin Spruill,
Thomas Hunter,	Robert Rowan,
Richard Cogdell,	Robert Cochran,
Lewis Bryan,	Thomas Brown,
Thomas Hines,	Samuel Williams,
John Hinton,	Authur Cotton,
Timothy Bloodworth,	Jacob Hunter,
Jesse Cobb,	William Boyd,
Fred. Harget,	Thomas Person,

Samuel Hill,
Gray Bynum,
Green Hill,
Thomas Sherrod,
John Macon,
Henry Montfort,
John Williams,
Joseph Hawkins,
James Gorham,
Daniel Gillespie,
James Hunter,
Jonathan Harper,
Hardy Bryan,
Phil. Hawkins,
John Kennady,
Phillip Raiford,
John Lutrell,
John Blackstock,
William Hooper,
Samuel Cain,
Thomas Gray,
Joseph Hancock,
James Campbell,
Williams Wynns,
Etheldred Exum,
Frederick Miller,
John Kimbrough,
Thomas Reding,
Robert Smith,
Edward Starkey,
Absolom Tatum,
Robert Pebles,
Miles Abernathy,
James Howard,
James Gillespie,
Thomas Younghusband,
Maxwell Chambers,
Samuel Smithwick.

SENATE JOURNAL.

State of North Carolina,
In Senate, October 18th, 1779.

At a General Assembly begun and holden at Halifax, the Eighteenth day of October, 1779, and in the fourth year of the Independance of the said State, being the second Session of this Assembly, the Honourable Allen Jones, Esquire, Speaker, and the following Members appeared and took their Seats, to-wit: Oroondates Davis, John Gray, Ambrose Ramsay, Edward Salter, Thomas Respass, Kenneth McKenzie, Elisha Battle, Benjamin Seawell, Henry Rhodes, Memucan Hunt, William Graham, John Faulcon, Samuel Smith, James Kenan, Jasper Charlton, Thomas Relfe, James Saunders, Griffith Rutherford, Thomas Owen, John Collier and John Hogan.

Mr. Alexander Martin, the Member for Guilford County; Mr. James Coor, the Member for Craven County; Mr. Benjamin Cleveland, the Member for Wilkes County; Mr. Charles Robertson, the Member for Washington County; Mr. William Sheppard, the Member for Surry County, having produced their respective Certificates, qualified agreeable to Law and took their Seats.

The Sheriff of Tyrrell County certified that Mr. Jeremiah Frasier was duly elected to represent said County in Senate, whereupon the said Jeremiah Frasier appeared, qualified agreeable to Law and took his Seat.

The Sheriff of Jones County certified that Mr. Abner Nash was duly elected to represent the said County in Senate, whereupon the said Abner Nash appeared, qualified agreeable to Law and took his Seat.

Received from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

This House being now formed acquaint you that they are ready to proceed on Business.

Ordered that the following Message be sent to the Commons:

Mr. Speaker & Gentlemen of the House of Commons:

This House have also met & are ready to proceed on public

Business, and propose the address herewith sent you be sent to His Excellency the Governor:

To His Excellency, Richard Caswell, Esqr., Governor, &c., &c:

SIR:

The General Assembly being now formed acquaint your Excellency that they are ready to receive such matters as your Excellency may think proper to lay before them.

Mr. John Devane, the Member for New Hanover County, appeared and took his Seat.

Received from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

Herewith you will receive a Message addressed to His Excellency the Governor which we propose instead of that which originated in the Senate, as we apprehend it to be more full.

At the same time received the address to His Excellency proposed by the Commons, which being read was Concurred with.

Ordered that the following Message be sent to the Commons:

Mr. Speaker & Gentlemen of the House of Commons:

We have received your Message proposing an address to His Excellency the Governor instead of the one proposed by this House, to which we agree, and have appointed Mr. Memucan Hunt, on the part of this House, to wait on His Excellency with the same.

Ordered that Messrs. Coor, Hunt and Ramsay, be a Committee, on the part of this House, as a Committee of Accounts, and that Gen. Rutherford, Colo. Hogan, Colo. Rhodes, Colo. Sheppard, Colo. Cleveland, Mr. Frasier, Mr. Seawell & Mr. Owen, act, on the part of this House, as a Committee of Claims.

Ordered that the following Message be sent to the Commons:

Mr. Speaker and Gentlemen of the House of Commons:

This House have, on their part, appointed Messrs. Coor, Hunt & Ramsay, a Committee of public Accounts, and Messrs. Rutherford, Hogan, Rhodes, Sheppard, Cleveland, Frasier, Seawell & Owen, a Committee of public Claims.

The House adjourned till to-morrow morning 9 o'Clock.

TUESDAY, 19th October, 1779.

The House met.

Mr. Graham moved for leave and presented a Bill for annexing a part of Burke County to Lincoln, and other purposes, which was read the first time, passed and sent to the Commons:

Ordered that Mr. Charlton, Mr. Nash and Mr. Martin, be a Committee, on the part of this House, to consider what Bills are necessary to be passed into Laws or amended during this Session, and that they make Report on Saturday next.

Ordered that the following Message be sent to the Commons:

Mr. Speaker & Gentlemen of the House of Commons:

This House have appointed Messrs. Charlton, Nash & Martin, a Committee, who will act with such Gentlemen as the House of Commons may appoint, to report on Saturday next what Bills are necessary to be passed into Laws or amended during the present Session.

Read the Recommendation of the Court of Lincoln County in favour of George Pee as a proper subject to be exempted from paying Taxes.

Resolved, that said George Pee be henceforth exempted from paying a Poll Tax.

Ordered that the above Resolve, together with the following Message, be sent to the Commons:

Mr. Speaker and Gentlemen of the House of Commons:

We herewith send you the Recommendation of the Court of Lincoln County in favour of George Pee; also a Resolve of this House in his favour which we send for your Concurrence.

Issued to Colo. Graham:

Resolved, that Thomas Epey, one of the Justices of Lincoln County, appear at the next Session of Assembly to answer the Allegations of Colo. William Graham against him for refusing to commit Criminals and destroying Mittimuses, and that James McAfee, James White & William Yancey, Justices in said County, or any two of them to take the Examination of the Witnesses of the parties and transmit the same to the next Asssembly.

Ordered that the above Resolve, together with the following Message, be sent to the House of Commons:

Mr. Speaker & Gentlemen of the House of Commons:

Herewith you will receive for your Concurrence a Resolve of this House relative to a certain Thomas Epey, of Lincoln County.

Received from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your Concurrence a Resolve of this House for exempting William Babb & James Mosely from the payment of poll Taxes.

At the same time received the Resolve of the Commons referred to in the foregoing Message, which being read, was Concurred with.

Ordered that the following Message be sent to the Commons:

Mr. Speaker & Gentlemen of the House of Commons:

We herewith return the Resolve of your House in favour of William Babb & James Mosely, Concurred with.

Received from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

This House have received the Resolve of yours exempting George Pee, of Lincoln County, from the payment of poll Taxes, which we herewith return you, Concurred with.

At the same time received the Resolve of this House referred to in the foregoing Message.

Endorsed in the House of Commons 19th October, 1779, Read and Concurred with.

Received from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith return the Resolve of your House relative to a certain Thomas Epey, of Lincoln County, Concurred with.

At the same time received the Resolve of this House referred to in the foregoing Message.

Endorsed in the House of Commons 19th October, 1779, Concurred.

Issued to Colo. Rhodes.

Resolved, that Archibald Gillespie one of the Justices of Onslow County, appear at the next Session of Assembly to answer the Allegations set forth in a Petition of many of the Inhabitants of said County, complaining that he had refused to commit a felon & had ill treated a person when demanding a Warrant of him ; and,

Resolved, also, that James Howard, Seth Ward and John Spicer, Justices of said County, or any two of them, take the Examination of the Witnesses of the parties and transmit the same to the next Assembly.

Ordered that the above Resolve, together with the following Message, be sent to the House of Commons :

Mr. Speaker & Gentlemen of the House of Commons :

We herewith send for your Concurrence a Resolve of this House citing Archibald Gillespie to appear at the next Session of Assembly.

Received from the Commons the following Message :

Mr. Speaker & Gentlemen of the Senate :

We herewith send for your Concurrence a Resolve of this House for exempting certain persons therein mentioned from the payment of poll Taxes.

At the same time received the Resolve of the Commons referred to in the foregoing Message which, being read, was Concurred with.

Ordered that the following Message be sent to the Commons :

Mr. Speaker and Gentlemen of the House of Commons :

We herewith return the Resolve of your House for exempting certain persons from the payment of poll Taxes, Concurred with.

Mr. John Childs, the Member for Anson County, and Mr. Benjamin Exum, the Member for Dobbs County, appeared and took their Seats.

Read the Petition of Abner Nash, Esquire.

Ordered that it be referred to a Committee of both Houses, and that General Rutherford, Mr. Charlton, Mr. Martin & Mr. Coor, act on the part of this house.

Ordered that the following Message be sent to the House of Commons:

Mr. Speaker & Gentlemen of the House of Commons:

We herewith send you the Petition of Abner Nash, Esquire, which we propose referring to a joint Committee, and have, for that purpose, on our part, appointed Messrs. Rutherford, Charlton, Coor & Martin.

Received from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send you a Message from His Excellency the Governor addressed to the General Assembly, together with the several Letters, &c., therein referred to.

At the same time received the Message of his Excellency the Governor, together with the several Letters, &c., referred to in the foregoing Message.

Received from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send you the Remonstrance of General William Skinner, in behalf of the Quakers, Moravians, Dunkards & Mennonists, which we propose referring to a joint Committee, and have, for that purpose, on our part, appointed Mr. Person, Mr. Bloodworth & Mr. Smith, a Committee.

At the same time received the Remonstrance of General Skinner referred to in the foregoing Message, which, being read, was referred to Mr. Seawell & Mr. Ramsay, to act with the Gentlemen appointed by the Commons.

Ordered that the following Message be sent to the Commons: Mr. Speaker & Gentlemen of the House of Commons:

We have received your Message proposing that the Remonstrance of General William Skinner, in behalf of the Quakers, &c., be referred to a Committee, to which we agree and have, for that purpose, appointed Messrs. Seawell & Ramsay, a Committee.

Read the Resignation of Thomas Robeson, Colonel of Bladen County, and the Resignation of Samuel Smith, Colonel of Granville County, which were ordered to be filed.

Ordered that the following Message be sent to the Commons:

Mr. Speaker & Gentlemen of the House of Commons:

Herewith you will receive the Resignations of Thomas Robeson, Colonel of Bladen County, and Samuel Smith, Colonel of Granville County.

The House adjourned till to-morrow morning 9 o'Clock.

Wednesday, 20th October, 1779.

The House met.

Received from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate;

This House have received the Message of yours appointing Committees of Accounts and Claims and have, on their part appointed Mr. Phil Hawkins, Mr. Smith, Mr. Gorham, Mr. Starkey, Mr. Bloodworth and Mr. Blackstock, as a Committee of Accounts; and Mr. T. Campbell, Mr. Brown, Mr. Tullock, Mr. Hinton, Mr. Harget, Mr. Bryan, Mr. Boyd, Mr. Spruill, Mr. Macon, Mr. Joseph Hawkins, Mr. Winslow & Mr. Medlock, as a Committee of Claims, to act jointly with the Gentlemen by you appointed for the purpose, aforesaid.

Received from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

We have received the Message of your House proposing to refer the petition of Abner Nash, Esqr., to a joint Committee, to which we agree, and have, for that purpose, on our part, appoint-

ed Mr. Sharkey, Mr. McCrawley, Mr. Phifer, Mr. Montford, Mr. Hawkins & Mr. Smith, a Committee, to act with the Gentlemen by you appointed.

Received from the Commons the following Message :

Mr. Speaker & Gentlemen of the Senate :

We herewith send for your Concurrence a Resolve of this House for disbanding the State Regiment.

At the same time received the Resolve of the Commons referred to in the foregoing Message, which, being read, was Concurred with.

Ordered that the following Message be sent to the Commons:

Mr. Speaker & Gentlemen of the House of Commons :

Herewith you will receive the Resolve of your House for disbanding the State Regiment, Concurred with.

Read the Petition of William Skinner, Esquire, praying that a Committee be appointed to examine and receive the public Accounts. which by a Resolve of last Assembly he was to adjust.

Ordered that Messrs. Salter, Exum and Respass act on the part of this House, and that the following Message be sent to the Commons :

Mr. Speaker & Gentlemen of the House of Commons :

This House have appointed Messrs. Salter, Exum and Respass, a Committee, who will act jointly with such Gentlemen as the House of Commons may appoint, to examine and receive from Gen. William Skinner the Accounts, &c., between this and the United States, as adjusted by him.

Received from the Commons the following Message :

Mr. Speaker & Gentlemen of the Senate:

We herewith return the Resolve of your House citing Archibald Gillespie to appear at the next Session of Assembly, Concurred with.

At the same time received the Resolve of this House referred to in the foregoing Message.

Endorsed in the House of Commons, Concurred with.

Received from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your Concurrence a Resolve of this House exempting Richard Hays from the payment of Poll Taxes.

At the same time received the Resolve of the Commons referred to in the foregoing Message which, being read, was Concurred with.

Ordered that the following Message be sent to the House of Commons:

Mr. Speaker & Gentlemen of the House of Commons:

We herewith return the Resolve of your House for exempting Richard Hays from the payment of poll Taxes, Concurred with.

Received from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your Concurrence a Resolve of this House requesting John Penn, Thomas Burke and Whitmell Hill, Esquires, to attend on the Assembly on Friday next.

At the same time received the Resolve of the Commons referred to in the foregoing Message which, being read was Concurred with.

Ordered that the following Message be sent to the Commons:

Mr. Speaker & Gentlemen of the House of Commons:

We herewith return the Resolve of your House Requesting John Penn, Thomas Burke and Whitmell Hill, Esquires, to attend on Friday next, Concurred with by this House.

Received from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send you a Letter from James Green, jun., Esquire; a Resolution of the General Assembly of the State of Virginia, and the Memorial of James Davis, Esqr., which we propose referring to a joint Committee, and have, for that purpose,

on our part, appointed Mr. Person, Mr. Bloodworth, Mr. Jones, Mr. Smith and Mr. Starkey, a Committee.

At the same time received the journal, Letters, &c., referred to in the foregoing Message which, being read, were referred to Mr. Nash & Mr. Charlton, to act with the Gentlemen appointed by the Commons.

Ordered that the following Message be sent to the Commons:

Mr. Speaker & Gentlemen of the House of Commons:

This House have received the Message of yours proposing that the Resolution of the General Assembly of the State of Virginia; the Letter from James Green, jun., Esquire, and the Memorial of James Davis, Esquire, be referred to a joint Committee, to which we agree, and have, for that purpose, appointed Messrs. Nash and Charlton, a Committee.

Read the Recommendations of the Court of Granville County in favour of John Duncan, James Stanley and James Head, and of the Court of Pasquotank County in favour of Christopher Nicholson, recommending the said persons as fit subjects to be exempted from the payment of poll Taxes.

Resolved, that the said John Duncan, James Stanley, James Head and Christopher Nicholson, be henceforth exempted from the payment of Poll Taxes.

Ordered that the above Resolve, together with the following Message, be sent to the House of Commons:

Mr. Speaker & Gentlemen of the House of Commons:

We herewith send for your Concurrence a Resolve of this House exempting certain persons therein mentioned from Poll Taxes.

Received from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

This House have appointed Mr. Jones, Mr. Person, Mr. Smith, Mr. Starkey, Mr. Hawkins & Mr. Johnston, a Committee on their part, to act jointly with the Committee appointed of the Senate to examine and receive of General Skinner the Accounts, &c., between this and the United States.

Resolved, that Mr. James Green, jun., be desired to attend the present General Assembly for the purpose of paying the Indented Certificates of Emissions of 20th May, 1777, and 11th April, 1778.

Ordered that the following Message, together with the foregoing Resolve, be sent to the Commons:

Mr. Speaker & Gentlemen of the House of Commons:

We herewith send for your Concurrence a Resolve of this House requesting the attendance of James Green, jun., on this Assembly.

Read the Petition of Sundry Inhabitants of Wilkes County, praying that certain persons be indemnified for putting to Death William Coyle & Lemuel Jones, and for assaulting James Harvell.

Mr. Nash then moved for leave and presented a Bill to indemnify certain persons therein named for putting to Death William Coyle and Lemuel Jones, and for beating James Harvell, which was read the first time, passed and sent to the Commons.

Received from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

Ordered that Messieurs Coor, Martin, Nash & Rutherford, act with such Gentlemen as the House of Commons may appoint, as a Committee to bring in a Bill for amending the assessment Law, and for amending the Act for carrying into Effect the Confiscation Law, so that the real Estates of such persons as may be particularly mentioned therein may be sold & the Money arising therefrom paid into the Treasury of this State.

Ordered that the following Message be sent to the Commons:

Mr. Speaker & Gentlemen of the House of Commons:

This House have appointed Messieurs Coor, Martin, Nash, Rutherford, a Committee, who will act jointly with such Gentlemen as the House of Commons may appoint, to bring in a Bill for amending the Assessment Law, and for amending the act for carrying into Effect the Confiscation Law so that the real Estate of such persons as may be particularly mentioned therein may be

sold and the money arising therefrom paid into the Treasury of this State.

Received from the Commons a Bill for dividing Tyrrell County into two distinct Counties, and for other purposes therein mentioned.

Endorsed in the House of Commons 20th October, 1779, Read the first time and passed.

Ordered that the said Bill be read.

Read the same the first Time, passed and sent to the Commons.

Mr. Robert Irwin, the Member for Mecklenburg County, appeared and took his Seat.

Received from the Commons a Bill to lay off and establish a Town in Warren County, and other purposes.

Endorsed in the House of Commons 20th October, 1779, Read the first Time and passed.

Ordered that the said Bill be read.

Read the same the first Time, passed and sent to the Commons.

Received from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith return the Resolve of your House exempting certain persons therein mentioned from paying Poll Taxes, Concurred with.

At the same time received the Resolve of this House referred to in the foregoing Message.

Endorsed in the House of Commons 20th October, 1779, Concurred with.

Received from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith return the Resolve of your House requesting the attendance of Mr. James Green, jun., on this Assembly, Concurred with.

At the same time received the Resolve of this House referred to in the foregoing Message.

Endorsed in the House of Commons 20th October, 1779, Concurred with.

Received from the Commons a Bill for annexing part of Carteret County to Jones, and other purposes.

Endorsed in the House of Commons 20th May, 1779.

Ordered that the said Bill be read.

Read the same the first time, passed and sent to the Commons.

Received from the Commons a Bill to lay off and establish a Town in Franklin County, and for other purposes therein mentioned.

Endorsed in the House of Commons 20th May, 1779, read the first Time and passed.

Ordered that said Bill be read.

Read the same the first Time, passed and sent to the Commons.

Ordered that Colo. Saunders be added to the Committee of Claims.

The House adjourned till to-morrow morning 9 o'Clock.

THURSDAY, 21st October, 1779.

The House met according to adjournment.

Issued to self:

Resolved, that Colo. Archibald Lytle make out a pay roll of those persons who guarded the prisoners from South Carolina to Salisbury Gaol at one Dollar per Day each for the privates and twelve shillings for the Sergeants, that he receive the amount thereof from the paymaster of this State and account with the Guard for the same.

Ordered that the above Resolve, together with the following Message, be sent to the Commons:

Mr. Speaker & Gentlemen of the House of Commons:

We herewith send for your Concurrence a Resolve of this House for paying the Militia who guarded certain prisoners from South Carolina to Salisbury Gaol.

Received from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

This House have appointed Mr. Hooper, Mr. Jones, Mr. Per-

son, Mr. Bloodworth & Mr. Smith, a Committee, to act jointly with such Gentlemen of the Senate as may be appointed, to take under Consideration the Department of the Commissaries, Clothier General & Quarter Master.

Ordered that Colo. Martin, Colo. Ramsay & Mr. Nash, act, on the part of this House, on said Committee.

Ordered that the following Message be sent to the House of Commons:

Mr. Speaker & Gentlemen of the House of Commons:

This House have appointed Colo. Martin, Colo. Ramsay & Mr. Nash, to act with the Gentlemen by you appointed as a Committee, to take under Consideration the Departments of the Commissaries, Clothier General & Quarter Master.

Whereas, by a Resolution of the Council of State, passed at Dobbs Court House the 7th September, 1779, Benjamin Hawkins, Esqr., Commercial Agent, was impowered to barter One thousand Barrels of pork for salt; also to contract for Twenty thousand pounds sterling, to be laid out in the purchase of such Articles as may be wanting for this State.

Resolved, that the Speaker of both Houses of this Assembly write to said Hawkins immediately directing him to barter said pork for salt agreeable to said Resolve, if it can be delivered in in this State by the first of January next, if not, to barter said pork for such other Articles as are most useful to this State; that they also countermand so much of the resolution of said Council as impowers Mr. Hawkins to borrow, on Interest or Contract, for the Sum of Twenty thousand pounds sterling.

Ordered that the foregoing Resolution, together with the following Message, be sent to the Commons:

Mr. Speaker & Gentlemen of the House of Commons:

We herewith send for your Concurrence a Resolve of this House respecting a Resolution of the Council of State, which directs Mr. Hawkins to lay out a large Sum of Money for the use of this State, which we propose to recind in part.

Colo. Martin moved for leave and presented a Bill to amend an Act for appointing Sheriffs and directing their Duty in Office,

and for obliging the late Sheriffs and Collectors of public Monies, who are in Arrear, to account for and pay the same, and other purposes which was read the first Time, passed and sent to the Commons.

On motion Colo. Martin, Mr. Nash, Mr. Coor & Mr. Charlton, are appointed to act, with such Gentlemen as the House of Commons may appoint, as a Committee to take under Consideration the present depreciated State of our public Monies, and to devise Ways and Means to appreciate the same.

Ordered that the following Message be sent to the Commons;

Mr. Speaker & Gentlemen of the House of Commons:

This House have appointed Colo. Martin, Mr. Nash, Mr. Coor and Mr. Charlton, to act with such Gentlemen as the House of Commons may appoint, as a Committee to take under Consideration the present depreciated State of our public Monies, and to devise ways and means to appreciate the same.

Received from the Commons a Bill to lay off and establish a Town in Franklin County, and for other purposes therein mentioned.

Endorsed in the House of Commons 21st October, 1779, read the second time, amended and passed.

Ordered that the said Bill be read.

Read the same the second time, passed and sent to the Commons.

Received from the Commons a Bill to lay off and establish a Town in Warren County, and other purposes.

Endorsed in the House of Commons 21st October, 1779, read the second time, amended and passed.

Ordered that the said Bill be read.

Read the same the second time, amended, passed and sent to the Commons.

Received from the Commons a Bill to indemnify certain persons therein named for putting to Death William Coyle & Lemuel Jones and for beating James Harvell.

Endorsed in the House of Commons 20th Oct., 1779, Read the first time and passed.

Ordered that the said Bill be read.

Read the same the second time, passed and sent to the Commons:

Received from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send you the Petition of Richard Flannikin, which we propose referring to a joint Committee, and have for that purpose, on our part, appointed Mr. Bloodworth, Mr. Kennedy, Mr. Hawkins and Mr. Gorham, a Committee.

Ordered that Mr. Coor and Mr. Irwin act on said Committee.

Ordered that the following Message be sent to the House of Commons:

Mr. Speaker & Gentlemen of the House of Commons;

This House have received the Message of yours appointing a Committee to take under Consideration the Petition of Richard Flannikin, and have, for that purpose, on their part, appointed Messieurs Coor and Irwin.

Received from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith return the Resolve of your House for paying the Militia who guarded certain prisoners from South Carolina to Salisbury Gaol, Concurred with.

At the same time received the Resolve of this House referred to in the foregoing Message.

Endorsed In the House of Commons 21st October, 1779, Concurred with.

Received from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

This House have appointed Messrs. Starkey, Hooper, Bloodworth & Person, a Committee, to act jointly with such Gentlemen by you appointed, to bring in a Bill for amending the Assessment Act, &c.

Received from the Commons the following Message:

Mr. Speaker and Gentlemen of the Senate:

We herewith return the Resolve of your House respecting a Resolution of the Council of State which directs Mr. Hawkins to lay out a large sum of Money for the use of this State, &c., Concurred with.

At the same time received the Resolve of this House referred to in the foregoing Message.

Endorsed In the House of Commons 21st October, 1779, Concurred with.

Received from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your Concurrence a Resolve of this House for exempting certain persons therein mentioned from the payment of Poll Taxes.

At the same time received the Resolve of the Commons referred to in the foregoing Message, which, being read, was Concurred with.

Ordered that the following Message be sent to the Commons:

Mr. Speaker & Gentlemen of the House of Commons:

Herewith you will receive the Resolve of your House in favour of Thomas Hampton, of Surry, and William Brown, of Wake County, Concurred with.

Received from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your Concurrence a Resolve of this House impowering Mr. William Bennett to sell the Tender belonging to the General Washington Galley.

At the same time received the Resolve of the Commons referred to in the foregoing Message, which, being read, was Concurred with.

Ordered that the following Message be sent to the Commons:

Mr. Speaker & Gentlemen of the House of Commons:

The Resolve of your House, impowering Mr. William Bennett

to expose to sale the Tender belonging to the General Washington Galley, you will herewith receive, Concurred with.

The House adjourned till to-morrow morning 9 o'Clock.

Friday, 22nd October, 1779.

The House met.

Ordered that the following Message be sent to the Commons:

Mr. Speaker & Gentlemen of the House of Commons:

This House propose, if agreeable to the House of Commons, that the Resolution of the General Assembly of the 19th of October, Instant, requesting the Honble the Speaker to write to Congress to countermand the march of the No. Carolina Brigade, be rescinded.

Read the recommendation of the Court of Lincoln County recommending Samuel Elder as a proper person to be exempted from paying Taxes.

Resolved, that the said Samuel Elder be henceforth exempted from paying poll Taxes.

Ordered that the following Message be sent to the House of Commons:

Mr. Speaker & Gentlemen of the House of Commons:

Herewith you will receive the Resolve of this House exempting Samuel Elder from paying Poll Taxes, which we send for your Concurrence.

Ordered that the following Message be sent to the House of Commons:

Mr. Speaker & Gentlemen of the House of Commons:

From the great number of Claims that are to be presented to the Committee of Claims this Session it is probable they will not be able to receive & pass them before the end of the Session, and as a great number of Members Compose the Committee already appointed we propose to divide it and form two Committees, and have, for that purpose, appointed Mr. Frazier, Mr. Owen, Mr. Saunders & Mr. Irwin, on the part of this House.

Ordered that the Commissary of Stores of Edenton, or any other Commissary, furnish Colo. Samuel Jarvis with one Hundred Muskets, One Hundred weight of Powder, Two Hundred weight of Lead and four Hundred Flints, to enable the Inhabitants of Currituck to defend themselves from any Invasions of the Enemy.

Ordered that the foregoing order, together with the following Message, be sent to the House of Commens:

Mr. Speaker & Gentlemen of the House of Commons:

Colo. Jarvis, of Currituck County, having represented to this House the Danger of the Invasion of the Enemy on the Inhabitants of said County, has induced this House to Enter into the Order herewith sent you for your Concurrence.

Received from the Commons a Bill for the separation and divorcement of Alexander Dixon & Elizabeth Dixon formerly Elizabeth Molton, as man and wife, which was read the first time and Rejected.

Received from the Commons a Bill to amend an Act for appointing Sheriffs and directing their Duty in Office, and for obliging the late Sheriffs and Collectors of public Monies, who are in arrear, to Account for and pay the same, and other purposes, which was read the second time, amended, passed and sent to the Commons.

Received from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your Concurrence a Resolve of this House requesting General Jones to extend the Parol of John Lane.

At the same time received the Resolve of the Commons referred to in the foregoing Message, which, being read, was Concurred with.

Ordered that the following Message be sent to the House of Commons:

Mr. Speaker & Gentlemen of the House of Commons:

The Resolve of your House requesting General Jones to extend the Parol of John Lane we herewith return, Concurred with by this House.

Received from the Commons a Bill to Establish and lay out a Town in Washington County, which was read the first time, passed and sent to the Commons.

Received from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your Concurrence a Resolve of this House directing Green Hill, Esqr., to advance a certain Sum of Money to William Blount, Esquire, for the purposes therein mentioned.

At the same time received the resolve of the Commons referred to in the foregoing Message, which, being read, was Concurred with.

Ordered that the following Message be sent to the Commons:

Mr. Speaker & Gentlemen of the House of Commons:

The Resolve of your House directing Green Hill, Esqr., to advance a certain Sum of Money to William Blount, Esqr., we return you, Concurred with.

Received from the Commons a Bill to explain and regulate the recommendation of Justices of the peace in this State, which was read the first time, passed and sent to the Commons.

Received from the Commons a Bill to amend an Act Entitled an Act for appointing Commissioners to fix on a certain place within the County of Montgomery to build a Court House, Prison and Stocks, and for other purposes therein mentioned, which was read the first time, passed and sent to the Commons.

Received from the Commons a Bill to amend an Act entitled an Act for dividing Guilford County into two distinct Counties, which was read the first time, passed and sent to the Commons.

Received from the Commons a Bill to amend an act for appointing Sheriffs and directing their Duty in Office, and for obliging the late Sheriffs and Collectors of public Monies, who are in arrear, to Account for and pay the same, which was read the third time, amended, passed and sent to the Commons.

Received from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

This House Concur with the Senate in dividing the Committee of Claims already appointed, and propose, on our part, that Mr.

J. Campbell, Mr. Tullock, Mr. Harget, Mr. Macon, Mr. Winslow (and Mr. Johnston, added by this House, in the room of Mr. Boyd, who is excused from attending) act with the Gentlemen mentioned in your Message, proposing the Division.

The House adjourned till to-morrow morning 9 o'Clock.

SATURDAY, 23d October, 1779.

The House met according to adjournment.

Received from the Commons the following Message :

Mr. Speaker & Gentlemen of the Senate :

We herewith send for your Concurrence a Resolve of this House permitting John Grear, Esqr., to resign the office of a Justice of the peace.

At the same time received the Resolve of the Commons referred to in the foregoing Message, which, being read, was Concurred with.

Ordered that the following Message be sent to the Commons :

Mr. Speaker & Gentlemen of the House of Commons :

We herewith return the Resolve of your House permitting John Grear, Esqr., to resign the Office of a Justice of the peace.

Received from the Commons the following Message :

Mr. Speaker & Gentlemen of the Senate :

We herewith return the Resolve of your House exempting Samuel Elder from paying Poll Taxes, concurred with.

At the same time received the Resolve of this House referred to in the above Message.

Endorsed in the House of Commons 22nd October, 1779, Concurred with.

Received from the Commons the following Message :

Mr. Speaker & Gentlemen of the Senate :

We herewith return the Resolve of your House impowering

the Commissary of Stores of Edenton District, or any other Commissaries, to furnish Colo. Jarvis, of Currituck County, with Arms, Ammunition, &c., for the defence of that County, Concurred with.

At the same time received the Resolve of this House referred to in the foregoing Message.

Endorsed in the House of Commons 23rd October, 1779, Concurred with.

Mr. Charlton moved for leave and presented a Bill for establishing a Court of Chancery within the State of North Carolina, and to regulate the manner of proceeding therein, which was read the first time, passed and sent to the Commons.

Received from the Commons a Bill to amend an Act entitled an Act for the regulation of the Town of Hillsborough, in the County of Orange, which was read the first time, passed and sent to the Commons.

The returning Officer for the County of Hyde certified that Mr. William Russell was duly Elected a Member to represent said County in Senate, whereupon the said William Russell appeared, qualified agreeable to Law and took his Seat.

Received from the Commons a Bill to prevent the stopping the Fish in the Uharie River, which was read the first time, passed and sent to the Commons.

Mr. Nash presented a Petition of the Inhabitants of Dobbs County, praying that the property of a Bridge lately built over Contentney be vested in Ethelred Ruffin, &c.

Mr. Nash then moved for leave and presented a Bill to vest the property of a Bridge lately built by Samuel Ruffin, deceased, over great Contentney Creek, in Ethelred Ruffin, his Heirs or Assigners, for years, which was read the first time, passed and sent to the Commons.

Ordered that Messrs. Coor, Nash, Martin, Davis and Rutherford, act with such Gentlemen as the House of Commons may appoint, as a Committee to prepare and bring in a Bill to appoint certain persons to state accounts against all those that have been intrusted with public Monies since the Commencement of this War, and to lay the same before the next Assembly.

Ordered that the following Message be sent to the House of Commons:

Mr. Speaker & Gentlemen of the House of Commons:

This House have appointed Messrs. Coor, Nash, Martin, Davis and Rutherford, a Committee, who will act in conjunction with such Gentlemen as the House of Commons may appoint, to prepare and bring in a Bill to appoint certain persons to state accounts against all those that have been entrusted with public Monies since the Commencement of the War, and to lay the same before the next Assembly.

Resolved, that the Treasurer of the District of New Bern be directed to attend on this Assembly immediately to give the necessary Information of the Quantity of public Monies in his possession.

Ordered that the above Resolve, together with the following Message, be sent to the Commons:

Mr. Speaker & Gentlemen of the House of Commons:

You will herewith receive, for your Concurrence, a Resolve of this House directing the attendance of the Treasurer of New Bern District.

Received from the Commons a Bill to amend an Act entitled an Act for ascertaining what property in this State shall be deemed taxable property, the method of assessing the same, and collecting the public taxes, and other purposes, which was read the first time, passed and sent to the Commons.

Received from the Commons a Bill for dividing Anson County, and other purposes, which was read the first time, passed and sent to the Commons.

Received from the Commons a Bill to amend an Act entitled an Act to regulate and establish a Militia in this State, which was read the first time and rejected.

Received from the Commons a Bill for dividing Duplin County, &c., which was read the first time and rejected.

Received from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your Concurrence a Resolve of this House for allowing Continental Waggons the same pay as those in the

Militia Service, for directing Colo. Long, Deputy Quarter Master General, to pay the same, &c.

At the same time received the Resolve of the Commons referred to in the foregoing Message, which, being read, was Concurred with.

Ordered that the following Message be sent to the Commons:

Mr. Speaker and Gentlemen of the House of Commons:

We herewith return the Resolve of your House allowing the same pay to the Continental Waggons as those in the Militia Service, Concurred with.

Received from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send you the Petition of Adam Tate, praying to be admitted a Citizen of this State, which we propose referring to the Committee appointed to take under Consideration the Petition of Abner Nash, Esquire.

At the same time received the Petition of said Tate, which, being read, was referred to said Committee.

On motion, Colo. Martin is excused from sitting on said Committee.

Ordered that the following Message be sent to the House of Commons:

Mr. Speaker & Gentlemen of the House of Commons:

This House Concur with you in referring the Petition of Adam Tate to the Committee appointed to take under Consideration the Petition of Abner Nash, Esquire.

The House adjourned till Monday morning 9 o'Clock.

MONDAY, 25th October, 1779.

The House met.

Received from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your Concurrence a Resolve of this House permitting Michael Wood to resign the office of a Justice of the peace.

At the same time received the Resolve of the Commons referred to in the foregoing Message, which, being read, was Concurred with.

Ordered that the following Message be sent to the Commons:

Mr. Speaker & Gentlemen of the House of Commons:

We herewith return the resolve of your House permitting Michael Wood to resign the office of a Justice of the peace, Concurred with.

Received from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith return the Resolve of your House directing the attendance of the Treasurers of New Bern District, Concurred with.

At the same time received the Resolve of this House referred to in the foregoing Message.

Endorsed in the House of Commons 23rd October, 1779, Concurred with.

Received from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

This House have appointed Mr. Bloodworth, Mr. Starkey, Mr. Jones, Mr. Horn & Mr. Person, a Committee, to act in conjunction with the Gentlemen by you appointed, to prepare and bring in a Bill to appoint certain persons to State Accounts against all those who have been entrusted with public Monies, &c.

Received from the Commons a Bill to establish a Town in Washington County, which was read the second time, amended, passed and returned to the Commons.

Received from the Commons a Bill for Erecting a Town on the

land of Thomas Hunter, on Squhawky, in Martin County, which was read the first time, passed and returned to the Commons.

Received from the Commons a Bill to amend an Act entitled an Act to encourage Benjamin Heron, Esqr., to build a bridge over the North east branch of Cape Fear River at or near the place where the Ferry is now kept by Edward Davis, which was read the first time, passed and sent to the Commons.

The House received Information that an Express was now in Town with Dispatches from Congress to His Excellency the Governor.

On motion,

Resolved, that the Speakers of the General Assembly be requested to receive and open the Dispatches now in this town for His Excellency the Governor, and lay the same before the Assembly.

Ordered that the above Resolve be sent with the following Message, to the Commons:

Mr. Speaker & Gentlemen of the House of Commons:

We herewith send for your Concurrence a Resolve of this House requesting the Speaker to receive and open several Dispatches from Congress to His Excellency the Governor, as this House suggest they are necessary to be laid before this Assembly.

Read the Report of the Committee on the Petition of Adam Tate, which was rejected.

Received from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

This House have appointed Mr. Person, Mr. Starkey, Mr. Locke and Mr. Hooper, a Committee, on their part, to act jointly with such Gentlemen of the Senate as may be appointed, to confer with the Delegates on an adequate Salary for their Services, and to report in what manner it shall be paid them.

Ordered that Colo. Martin & Mr. Nash act, on the part of this House, on said Committee, and that the following Message be sent to the House of Commons:

Mr. Speaker and Gentlemen of the House of Commons:

This House have appointed Colo. Martin & Mr. Nash, to act

with the Gentlemen by you appointed, to confer with the Delegates on the Salary necessary to be allowed them for their Services.

Received from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your Concurrence a Resolve of this House requesting Nicholas Long, Esquire, to advance a certain Sum of Money to John Matthews, an Express to South Carolina.

At the same time received the Resolve of the Commons referred to in the foregoing Message, which, being read, was Concurred with.

Ordered that the following Message be sent to the Commons:

Mr. Speaker & Gentlemen of the House of Commons:

We herewith return the Resolve of your House empowering Colo. Long to advance a certain Sum of Money to John Matthews, Concurred with.

Received from the Commons a Bill to prevent hunting in the Woods in the Night time, with Gun and fire-light, and other purposes therein mentioned, which was read the first time, passed and returned to the Commons.

Received from the Commons a Bill for erecting part of Carteret and Onslow Counties into a new County by the name of ———, and for other purposes, which was read the first Time, passed and returned to the Commons.

Received from the Commons a Bill for punishing persons concerned in any of the several Species of Counterfeiting in this State, which was read the first time, passed and returned to the Commons.

Received from the Commons a Bill for establishing Fairs in Halifax town and Edenton, which was read the first time, passed and sent to the Commons.

Received from the Commons a Bill to vest the property of a Bridge, lately built by Samuel Ruffin, deceased, over great Contentney Creek, in Ethelred Ruffin, his Heirs or Assignees, for Twenty Years, which was read the second time, amended, passed and sent to the Commons.

Received from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith return the Resolve of your House requesting the Speakers to receive and open certain Dispatches from Congresss to His Excellency the Governor, Concurred with.

At the same time Received the resolve of this House referred to in the foregoing Message.

Endorsed in the House of Commons 25th October, 1779, Concurred with.

Received from the Commons a Bill for the more effectually preventing Engrossing and Forestalling, for the Encouragement of Commerce and the Fair trader, and for other purposes therein mentioned, which was read the first time, passed and sent to the Commons.

Also a Bill for establishing the Salaries of the Judges of the Superior Courts and of the Attorney General, and for other purposes, which was read the first time, passed and sent to the Commons.

Also a Bill dividing the District of Salisbury, and for other purposes therein mentioned, which was read the first time, passed and sent to the Commons.

Mr. Nash moved for leave and presented a Bill to amend an Act entitled an Act for establishing offices for receiving Entries of Claims for Land in the several Counties within this State, for ascertaining the method of obtaining Titles to the same, and for other purposes therein mentioned, and also to amend one other Act Entitled an Act to amend an Act for establishing Offices for receiving Entries of Claims for Land in the several Counties within this State, for ascertaining the method of obtaining Titles to the same, and for other purposes therein mentioned, which was read the first time, passed and sent to the Commons.

Received from the Commons a Bill for directing the Method of appointing Jurors in all Causes, Civil and Criminal, which was read the first time, passed and sent to the Commons.

Also a bill for Docking the Intail of a certain Tract of Land, therein mentioned, which was read the first Time, passed and sent to the Commons.

Also a Bill to amend an Act entitled an Act for the regulation of the Town of Hillsborough, which was read the first time, passed and sent to the Commons.

Also a Bill to prevent persons from stopping the passage of Fish up Tar River, Dan River, great Fishing Creek and Buffaloe Creek in Lincoln County, which was read the first time, passed and sent to the Commons.

Received from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

This House propose, if agreeable to the Senate, to Ballot at 4 o'clock this afternoon for two Delegates in the room of Whitmell Hill and Thomas Burke, Esqrs., whose time is about to expire, and one in the room of Joseph Hewes, Esqr., resigned, and Attorney General, two Councillors in the room of Colo. Respass and Colo. Sampson who refuse to act and a Treasurer for the District of Hillsborough; and put in nomination for Delegates, Whitmell Hill, Thomas Burke, John Kinchen, Philemon Hawkins, jun., Edward Starkey and Ephraim Brevard, Esqrs.; for an Attorney General, James Iredell, Esqr.; for Councillors, Waightstill Avery, Nathan Bryan and John Lillington, Esqrs.; for a Treasurer, John Taylor & Nathaniel Rochester, Esqrs. If you accede to this Measure you'll signify the same by Message.

The House taking the Message into Consideration, Conc urred therewith.

Ordered that the following Message be sent to the House of Commons:

Mr. Speaker and Gentlemen of the House of Commons:

This House have received the Message of yours proposing that the General Assembly proceed to Ballot for the public officers therein mentioned, and agree thereto, and put in nomination for Councillors of State, Thomas Gray and Furnifold Green, Esquires, and for the other officers the same persons nominated by the Commons.

We have appointed Messrs. Coor & Exum to superintend the Balloting.

Mr. Nash moved for leave and presented a Bill for securing the rights of such persons in the County of Washington as lie between the River Holstein and the line lately run by the Commissioners of this State and the State of Virginia, as the dividing line between

the said States, and for dividing the said County of Washington into two distinct Counties, and for other purposes, which was read the first time and passed.

Mr. Nash moved for leave to take out said Bill to amend.

Ordered that he have leave accordingly.

Ordered that the Thanks of this House be given to the Hon. John Penn, Thomas Burke and Whitmell Hill, Esquires, for the many important Services rendered this State in the Continental Congress.

Thomas Burke and Whitmell Hill, Esquires, being present, Mr. Speaker addressed them in the following Words:

Gentlemen:

The Senate, highly satisfied with your Conduct as Delegates for this State, have ordered me to return you their Thanks, accordingly I return you the Thanks of this House for the important Services you have rendered this State in Congress. At the same time permit me to assure you that it is a personal Happiness in thus being the Channel through which this House have thought proper to convey this public Testimony of their approbation of your Conduct.

To which the Delegates returned the following Answer:

Mr Speaker.:

We are impressed with the most grateful sense of the Honor done us by this Testimony that the discharge of our public Duty meets the approbation of the Honourable the Senate of our Country, an Honor which we are not otherwise Conscious of deserving than in having assiduously attended to the Discharge of our Trust with Abilities far Inferior to its Importance. Accept Sir, our Acknowledgements for the politeness with which you have Communicated to us this Honor, which must, if anything could, enhance the Value to those on whom it is Conferred.

On motion, ordered that the Balloting for the several officers, mentioned in the Message of the Commons this day, be postponed till to-morrow evening 4 o'Clock.

Ordered that the following Message be sent to the House of Commons:

Mr. Speaker & Gentlemen of the House of Commons:

This House, on more mature deliberation, propose, if agreeable

to the House of Commons, to postpone the Balloting for the several public Officers mentioned, in your Message of this Day, until to-morrow at 4 o'Clock in the afternoon, if your House agree thereto you will signify the same by Message.

We also put in nomination Allen Jones, Esquire, as a Continental Delegate, and the Towns of New Bern, Hillsborough and Halifax, for holding the next assembly at.

Mr. Boddie, the Member for Nash County, appeared and took his Seat.

Received from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

This House have received the Message of yours proposing to postpone Balloting for the several public officers until To-morrow, to which we cannot agree, as we think it will take up the greatest part of another Day; but agree to postpone it til 5 o'Clock, and hope the Senate will reconsider their Message and agree on that Time.

We put in nomination the Towns of New Bern & Hillsborough, for holding the next Assembly at.

Mr. Coor, one of the Members who were appointed to Superintend the Balloting, reported that Whitmell Hill, Thomas Burke and Allen Jones, Esquires, were Duly Elected Delegates for the Ensuing Year; James Iredell, Esqr., Attorney General; Waightstill Avery, Esquire, a Councillor; Nathaniel Rochester, Treasurer for the District of Salisbury; and that New Bern was chosen as the place for the next Assembly to sit at, and that one Councillor is still to be Balloted for.

Mr. Speaker having vacated his Seat by the acceptance of the Office of Delegate, Gen. Rutherford moved that Abner Nash, Esqr., should be appointed Speaker, whereupon the said Abner Nash was chosen unanimously and placed in the Chair accordingly.

The House adjourned till to-morrow Morning 9 o'Clock.

Tuesday, 26th October, 1779.

The House met.

Mr. Davis moved for leave and presented a Bill for Docking the Intail of all Lands, Tenements and Hereditaments, within this State, and for other purposes, which was read the first time, passed and sent to the Commons.

Also a Bill to amend an Act entitled an Act to amend the Staple of Tobacco, which was read the first time, passed and sent to the Commons.

And a Bill to amend an Act entitled an Act concerning Servants and Slaves, which was read the first time, passed and sent to the Commons.

Mr. Speaker presented the Bill he had taken out Yesterday to amend by leave of the House, which was sent to the Commons.

Gen. Rutherford, from the joint Committee appointed to take under Consideration the Petition of Abner Nash, Esqr., reported:

That the allegations and Facts contained in the said Petition are true, and without the Interposition of the Legislature the said Abner Nash will be without remedy, and recommend that Commissioners be appointed to lay out and ascertain unto the said Abner Nash one-third part of the Land mentioned in said Petition, regard being had to the Quantity & Quality of the same, and that they shall execute a good and Sufficient Deed of Conveyance for the same, at the Cost and Charges of the said Abner Nash, which, when had and done, shall be deemed sufficient in Law to vest in him all the right and Title which this State hath or may Acquire in and to the same by Confiscation, Forfeiture or otherwise as to the Estate of Edmund Fanning, as mentioned in said Petition.

And, that this report be carried into full Effect, we further recommend that the said Abner Nash have an Act of Assembly passed in his favour for that purpose.

The House taking said Report into Consideration, Concurred therewith.

Ordered that the following Message, with the foregoing Resolve, be sent to the Commons:

Mr. Speaker & Gentlemen of the House of Commons:

We herewith send you the report of the Committee of both

Houses appointed to consider the Petition of Abner Nash, Esqr., Concurred with by this House.

Colo. Martin moved for leave and presented a Bill to vest the Title of certain Lands, therein mentioned, in Abner Nash, Esquire, which was read the first Time, passed and sent to the Commons.

Mr. Boddie moved for leave and presented a Bill for laying a Tax to defray the Expense of the public Buildings in the County of Nash, which was read the first time, passed and sent to the Commons.

Read the Petition of Thomas Burke, Esquire, which was ordered to be referred to the same Committee who were appointed to consider the petition of Abner Nash, Esquire.

Ordered that the following Message, with the said Petition, be sent to the Commons :

Mr. Speaker & Gentlemen of the House of Commons :

We herewith send you the Petition of Thomas Burke, Esquire, which we propose referring to the Committee who were appointed to consider of the Petition of Abner Nash, Esquire.

Resolved, that Benjamin Duberry be allowed the Sum of three Hundred and seventy Dollars for his Expenses & trouble in pursuing and apprehending several persons charged with Counterfeiting the Currency of this State, that the Treasurers or either of them pay him the same, for which they shall be allowed in the Settlement of their Accounts with the public.

Ordered that the foregoing Resolve, with the following Message, be sent to the Commons :

Mr. Speaker & Gentlemen of the House of Commons :

We herewith send, for your Concurrence, a Resolve of this House allowing Benjamin Duberry a certain Sum therein mentioned, for pursuing and apprehending Counterfeiters.

Mr. Kenan moved for leave and presented a Bill to confirm the Titles of Lands to sundry the Inhabitants of Duplin County, which was read the first time, passed and sent to the Commons.

Received from the Commons the following Message :

Mr. Speaker & Gentlemen of the Senate :

We herewith return the report of the Committee appointed to

consider the Petition of Abner Nash, Esquire, Concurred with by this House.

At the same time received the report of the Committee referred to in the foregoing Message.

Endorsed In the House of Commons 26th October, 1779, Concurred with.

Received from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith return the resolve of your House allowing Benjamin Duberry a certain Sum therein mentioned, Concurred with.

At the same time received the Resolve of this House referred to in the foregoing Message.

Endorsed In the House of Commons 26th October, 1779, Concurred with.

Received from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

We have received the Message of your House proposing to refer the Petition of Thomas Burke, Esqr., to a Committee appointed to consider the Petition of Abner Nash, Esqr., to which we agree.

Received from the Commons a Bill to amend an Act entitled an Act for dividing Guilford County into two distinct Counties.

Ordered that the said Bill be read.

Read the same the second time and rejected.

Then, on motion of Mr. Collier, Ordered that the Yeas and Nays be taken, which were as follows:

Yeas:	Nays:
Ambrose Ramsay.	Charles Robertson.
James Coor.	John Gray.
Benj. Seawell.	Thomas Respass.
Memucan Hunt.	Kenneth McKenzie.
William Graham.	Henry Rhodes.
Samuel Smith.	Jeremiah Frasier.
William Sheppard.	James Kenan.
James Saunders.	Jasper Charlton.
John Devane.	Thomas Relfe.

Thomas Owen.
John Collier.
John Hogan.
John Childs.
Nathan Boddie.—14

Benjamin Cleveland.
Benjamin Exum.
Alexander Martin.
Griffith Rutherford.
William Russell.
Robert Irwin.—15.

Received from the Commons a Bill to vest the Property of a Bridge, lately built by Samuel Ruffin, deceased, over great Contentney Creek, in Ethelred Ruffin, His Heirs or Assignees for twenty Years, which was read the third time, passed and sent to the Commons.

Received from the Commons a Bill for the division of Dobbs County, and other purposes therein mentioned, which was read the first Time, passed and returned to the Commons.

Received from the Commons a Bill for annexing part of Burke County to Lincoln, and other purposes.

Mr. Speaker moved for leave to take out and amend said Bill.

Ordered that he have leave accordingly.

Mr. Graham moved for leave and presented a Bill for establishing a Town in Lincoln County, on the Land of Valentine Mauney, which was read the first time, passed and sent to the Commons.

Received from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your Concurrence a Resolve of this House for allowing the Delegates their Expences while at Congress, &c.

At the same time received the Resolve of the Commons referred to in the foregoing Message, which, being read, was Concurred with.

Ordered that the following Message be sent to the Commons:

Mr. Speaker & Gentlemen of the House of Commons:

We herewith return you the Resolve of your House allowing the Delegates their Expences while at Congress, Concurred with.

Received from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

This House propose, if agreeable to the Senate, to ballot on

Saturday at 4 o'Clock in the afternoon for one Councillor, and a Treasurer for the District of Hillsborough, in the room of Nathaniel Rochester, Esquire, whose Election this House have determined illegal owing to his holding the Clerkship of Orange County Court.

The House having considered the foregoing Message, Concurred therewith, and Ordered that the following Message be sent to the Commons:

Mr. Speaker & Gentlemen of the House of Commons:

This House have received the Message of yours for Balloting on Saturday next for a Councillor, and Treasurer of Hillsborough District, and concur therewith.

The House adjourned till to-morrow Morning 9 o'Clock.

WEDNESDAY, 27th October, 1779.

The House met.

Mr. Seawell moved for leave and presented a Bill to establish the Seat of Government for the State of North Carolina, and for other purposes, which was read the first time, passed and sent to the Commons.

Mr. Seawell also moved for leave and presented a Bill for granting a free pardon to Charles Shearing, now under Sentence o th, which was read the first time, passed and sent to the Commons.

Mr. John Rand, the Member for Wake County, appeared and took his Seat.

Received from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send you the Memorial of Thomas Benbury, Esquire, in behalf of Thomas Oldham, late of Chowan County, and the Petition of Jonathan Allen, both of which we propose referring to the Committee appointed to take under Consideration the petition of Abner Nash, Esquire.

The Memorial of Thomas Benbury, Esqr., in behalf of Thomas Oldham, being read, was rejected, and the Memorial of Jonathan Allen, being read, was referred to the Committee appointed to take under consideration the petition of Abner Nash, Esquire.

Ordered that the following Message be sent to the House of Commons:

Mr. Speaker & Gentlemen of the House of Commons:

This House have received the Message of your House proposing to refer the Memorial of Thomas Benbury, Esquire, in behalf of Thomas Oldham, and the petition of Jonathan Allen, to the Committee appointed to take under Consideration the Petition of Abner Nash, Esquire.

This House have rejected the Memorial of Thomas Benbury, Esquire, but agree to refer the Petition of Jonathan Allen to the Consideration of said Committee.

Received from the Commons a Bill to lay off and establish a Town in Franklin County, and for other purposes therein mentioned, which was read the third time, amended by Consent of both Houses, passed and ordered to be Engrossed.

Received from the Commons a Bill to lay off and establish a Town in Warren County, and other purposes, which was read the third time, amended by Consent of both Houses, passed and ordered to be Engrossed.

Received from the Commons a Bill for Establishing a Court of Chancery within the State of North Carolina, and to regulate the manner of proceeding therein, which was read the second time, amended, passed and sent to the Commons.

Received from the Commons a Bill for granting a free pardon to Charles Shearing, now under Sentence of Death, which was read the second time, passed and sent to the Commons.

Received from the Commons a Bill for laying a Tax of two and a half per Cent upon all goods, Wares and Merchandize Exposed to public Sale, and for regulating public Auctions, which was read the first time, passed and sent to the Commons.

Received from the Commons a Bill to amend an Act Entitled an Act for establishing Offices for receiving Entries of Claims for Lands in the several Counties within this State, for ascertaining the method of obtaining Titles to the same and for other purposes therein mentioned; and also to amend one other Act Entitled an Act to amend an Act for establishing Offices for receiving Entries of Claims for Lands in the several Counties within this State, for ascertaining the method of obtaining Titles to the same, and for other purposes, which was read.

Mr. Rand then moved for leave to take out and amend said Bill.

Ordered that he have leave accordingly.

Mr. George Wynns, the Member for Hertford County, appeared and took his Seat.

Received from the Commons the Bill for granting a Free Pardon to Charles Shearing, now under sentence of Death, which was read the third time, Amended, passed and sent to the Commons.

The Chairman of the Committee of Claims reported that Maj. John Armstrong was allowed four Hundred & Twenty-nine pounds Seventeen Shillings for sundries found himself while in Camp to the Southward, and a Horse lost in the service; also that Mr. Thomas Stewart was allowed Eight Hundred pounds for a new and Compleat Mathematical Instrument called a Theodolite, which was Concurred with.

Ordered that the following Message be sent to the House of Commons:

Mr. Speaker & Gentlemen of the House of Commons:

This House have received the report of the Committee of Claims allowing Maj. John Armstrong four Hundred & twenty-nine pounds seventeen Shillings, also to Mr. Thos. Stewart Eight Hundred pounds, which this House have Concurred with.

Received from the Commons a Bill to amend an Act Entitled an Act for appointing Commissioners to fix on a certain place within the County of Montgomery to build a Court House, Prison & Stocks, and for other purposes therein mentioned, which was read the second time, passed and sent to the Commons.

Resolved, that William Flewellen be allowed the Sum of four Hundred & Seventy-six pounds for the use of his Waggon and four Horses from the third Day of December, 1778, until the sixth day of May, 1779; that the Treasurers or either of them pay him the same, who shall be allowed in the Settlement of their public Accounts.

Ordered that the above Resolve, together with the following Message, be sent to the Commons:

Mr. Speaker & Gentlemen of the House of Commons:

You will herewith receive for your Concurrence a Resolve of this House allowing William Flewellen a certain Sum for the use of his Waggon & Team.

Colo. Martin moved for leave and presented a Bill to carry into Effect an Act passed at New Bern, in November, in the year One Thousand seven Hundred seventy-seven, Intitled an Act for confiscating the Property of all such persons as are Inimical to the United States, and of such persons as shall not, within a certain time therein mentioned, appear and submit to the State, whether they shall be received as Citizens thereof; and of such persons who shall so appear and shall not be admitted as Citizens, and for other purposes therein mentioned, which was read the first time and passed.

Colo. Martin moved for leave to take out and amend said Bill.

Ordered that he have leave accordingly.

General Rutherford moved for Leave and presented a Bill to regulate and Establish a Militia in this State, which was read the first time and passed.

General Rutherford moved for leave to take out and amend said Bill.

Ordered that he have Leave.

Colo. Irwin moved for Leave and presented a Bill to prevent the stopping of Fish from running up Rockey River, which was read the first time and passed.

Colo. Irwin then moved for leave to take out and amend said Bill.

Ordered that he have Leave.

Mr. Faulcon has Leave of absence from the Service of this House until Monday next.

Received from the Commons a Bill for annexing part of Carteret to Jones County, which was read the Second time, passed and sent to the Commons.

Mr. Davis moved for leave and presented a Bill for Docking the Intail of a certain piece of Land, as therein mentioned, and vesting the same in John Webb, his Heirs and Assignees; which was read the first time and passed.

Mr. Davis moved for leave to take out and amend said Bill.

Ordered that he have leave.

Mr. Sheppard moved for leave and presented a Bill to lay off a Town in the County of Surry, on the Land, the property of John Armstrong & William Sheppard, at the Court House in said County, which was read the first time and passed.

Mr. Sheppard moved for leave to take out and amend said Bill.

Ordered that he have Leave.

Received from the Commons a Bill to amend an Act entitled an Act concerning Servants and Slaves, which was read the second time, amended, passed, and sent to the Commons.

Received from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith return the Resolve of your House allowing William Flewellen a certain Sum for the use of his Waggon & Team, Concurred with.

At the same time received the Resolve of this House referred to in the foregoing Message.

Endorsed in the House of Commons 27th October, 1779, Concurred with.

Received from the Commons a Bill to amend an Act Intitled an Act to amend an Additional Act concerning Servants and Slaves, passed at New Bern in the year 1753, and other purposes therein mentioned, which was read the first time and passed.

Mr. Owen then moved for leave to take out and amend said Bill.

Ordered that he have leave accordingly.

Received from the Commons a Bill to confirm the Titles of Lands to sundry of the Inhabitants of Duplin County, which was read the second time, passed and sent to the Commons.

Mr. Hunt moved for leave and presented a Bill to regulate Ordinaries, Houses of Entertainment & Ferries, and other purposes, which was read the first Time and passed.

Mr. Hunt moved for leave to take out and amend said Bill.

Ordered that he have leave accordingly.

Received from the Commons a Bill for securing the rights of such persons in the County of Washington as lie between the River Holstein and the Line lately run by the Commissioners of this State and the State of Virginia, as the dividing Line between the said States, and for dividing the said County of Washington into two distinct Counties, and for other purposes, which was read the second time, Amended, passed and sent to the Commons.

Ordered that Colo. Martin, Mr. Coor, Mr. Davis and Colo. Irwin, be a Committee, to act with such Gentlemen as the House

of Commons may appoint, to take under Consideration the requisition of Congress for a Sum of Money from this State, and to devise ways and means to raise the same; also to devise ways and means to collect the public Monies now in the Hands of Individuals, and to consider of the Tax necessary to be laid for the Ensuing Year.

Ordered that the following Message be sent to the House of Commons:

Mr. Speaker & Gentlemen of the House of Commons:

This House have appointed Colo. Martin, Mr. Coor, Mr. Davis and Colo. Irwin, to act with such Gentlemen as the House of Commons may appoint, to take under Consideration the requisition of Congress for a Sum of Money from this State, and to devise ways and means to raise the same; also to devise ways and Means to collect the public Monies now in the Hands of Individuals, and to consider of the Tax necessary to be laid the Ensuing Year.

Received from the Commons a Bill for building a Court House in Elizabeth Town, in the County of Bladen, and other purposes, which was read the first time, passed and sent to the Commons.

The House adjourned till to-morrow morning 9 o'Clock.

THURSDAY, 28th October, 1779.

The House met according to adjournment.

Mr. Rand, who had Leave to take out and amend the Bill, To amend an Act Entitled an Act for establishing Offices for receiving Entries of Claims for Lands, &c., presented said Bill, which was read the second time and amended.

Then, on motion, Ordered that Gen. Rutherford, Mr. Davis and Mr. Rand, take out and again amend said Bill.

Received from the Commons a Bill for Docking the Intail of a certain Tract of Land in Tyrrell County, which was read the first time, passed and sent to the Commons.

Received from the Commons a Bill to vest the Title of certain Lands, therein mentioned, in Abner Nash, Esquire, which was read the second time, passed and sent to the Commons.

Mr. Owen, who had Leave to take out and Amend the Bill to amend an Act Intitled an additional Act concerning Servants and

Slaves, passed at New Bern in the Year 1753, and other purposes therein mentioned, presented said Bill, which was again read, amended and sent to the Commons.

Received from the Commons a Bill to enlarge the Jurisdiction of Magistrates, which was read the first time, passed and sent to the Commons.

Received from the Commons a Bill for establishing an Academy in the County of Granville, and for appointing Trustees, and for other purposes, which was read the first time, passed and returned to the Commons.

Received from the Commons a Bill to enable John Norwood, surviving Executor of the last Will and Testament of Henry Bradley, deceased, to sell and convey the Lands of the said Deceased, which was read the first time, passed and returned to the Commons.

Read the Petition of Cassandra Pindar, praying to be permitted to go to New York, which was Rejected.

Received from the Commons a Bill to Establish a road from James McDaniels, in Pasquotank County, to the Widow White's, in Perquimans County, and granting a Toll for the same, which was read the first time, passed and sent to the Commons.

Also a Bill for directing the method of appointing Jurors in all Causes, Civil and Criminal, which was read the second time, amended, passed and sent to the Commons.

Mr. Charlton and Mr. Devane have leave of absence from the Service of this House for the remainder of the Session.

Received from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

This House have received the Message of yours appointing a Committee, to act with such of this House as might be appointed, to take under Consideration the requisition of Congress for a Sum of Money from this State, and to devise ways and Means to raise the same; also to devise ways and Means to Collect the public Monies now in the Hands of Individuals, and have, for that purpose, on our part, appointed Mr. Locke, Mr. Starkey, Mr. Person, Mr. Wilson, Mr. Howard, Mr. Brown and Colo. Hawkins, a Committee.

Received from the Commons a Bill to Explain and regulate the

recommendation of Justices of the peace in this State, which was read the second time and rejected.

Received from the Commons a Bill to establish the Seat of Government for the State of North Carolina, and for other purposes therein mentioned, which was read the second time, passed and sent to the Commons.

Received from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

From the vast number of Claims that are likely to be presented to the Committee of Claims we are apprehensive that the Committees will not have time during the present Session to examine and allow them, we therefore propose that Mr. Tullock, Mr. Clinton and Mr. Jacob Hunter, from the present Committees, and Mr. Grandy, Mr. Cain, Mr. Norwood, Mr. Luttrell, Mr. Montford, Mr. Isaacs, with such of your Members as you may think proper to appoint, shall Constitute another Committee of Claims.

Ordered that Colo. Rhodes, from one of the other Committees, and Colo. Robeson, Mr. Graham, Mr. Russell and Mr. Kenan, act on said Committee, and that the following Message be sent to the Commons:

Mr. Speaker & Gentlemen of the House of Commons:

This House have received your Message appointing a third Committee of Claims, to which we agree, and have, for that purpose, appointed Colo. Rhodes, from one of the other Committese, Mr. Robeson, Mr. Graham, Mr. Russell and Mr. Kenan.

Received from the Commons a Bill for giving to all persons having Lands in this State, a farther time for proving and registering their Deeds and Mesne Conveyances, and for other purposes, which was read the first time, passed and sent to the Commons.

Also a Bill to amend an Act Entitled an Act for the regulation of the Town of Hillsborough, which was read the third time, passed and ordered to be Engrossed.

Mr. Seawell has leave of absence from the Service of this House until Monday next.

Received from the Commons a Bill to prevent persons from Injurying the Inland Navigation of Rivers, Creeks & water Courses, in this State, in the Counties therein mentioned, which was read the first time, passed and sent to the Commons.

Received from the Commons a Bill to amend an Act Entitled an Act to amend the Staple of Tobacco, which was read the second time, passed and sent to the Commons.

Also a Bill for Docking the Intail of all Lands, Tenements and Hereditaments, within this State, and for other Purposes, which was read the Second time.

In passing the said Bill Gen. Rutherford moved that the House resolve itself into a Committee of the whole House, which was done accordingly, General Rutherford chosen Chairman; after some time spent thereon Mr. Speaker resumed the Chair and Mr. Chairman reported,

That it was the Opinion of the Committee that the Bill be received without an Amendment.

The House taking said Report into Consideration, Concurred therewith.

Then the said Bill being read the second time was passed and sent to the Commons.

Mr. Hunt, who had leave to take out and amend the Bill to regulate Ordinaries, Houses of Entertainment and Ferries, and other purposes, presented said Bill, which was sent to the Commons.

The House adjourned till to-morrow morning 9 o'Clock.

Friday, 29th October, 1779.

The House met.

Received from the Commons a Bill for securing the rights of such persons in the County of Washington as lie between the river Holstein and the Line lately run by the Commissioners of this State and the State of Virginia, as the dividing Line between the said States, and for dividing the said County of Washington into two distinct Counties, and for other purposes, which was read the third time, amended, passed and sent to the Commons.

Received from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your Concurrence a Resolve of this House investing the Delegates appointed this present Session of

Assembly with certain powers and Authorities, also requesting His Excellency the Governor to make out Commissions, &c.

At the same time received the Resolve of the Commons referred to in the foregoing Message, which, being read, was Concurred with.

Ordered, that the following Message be sent to the Commons:

Mr. Speaker & Gentlemen of the Commons:

The Resolve of your House investing the Delegates appointed this Session with certain powers and Authorities and requesting His Excellency the Governor, to make out Commissions, &c., we herewith return you, Concurred with.

Received from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your Concurrence a Resolve of this House directing Nicholas Long, Esqr., to furnish Richard Wheeling an Express with a Horse.

At the same time received the Resolve of the Commons referred to in the foregoing Message, which, being read, was Concurred with.

Ordered, that the following Message be sent to the House of Commons:

Mr. Speaker & Gentlemen of the House of Commons:

The Resolve of your House directing Nicholas Long, Esquire, to furnish Richard Wheeling an Express with a Horse, you will with this receive, Concurred with.

Received from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

This House have appointed Mr. Bloodworth, Mr. Starkey, Mr. Locke, Mr. Smith, Mr. Hunter, Mr. Patterson & Mr. James Campbell, a Committee, to act jointly with such Gentlemen of the Senate as may be appointed, to inquire what necessaries are or may be wanting for the use of our Army, and make report thereof.

Ordered that Messrs. Ramsay & Respass, act, on the part of this House, on said Committee, and that the following Message be sent to the Commons:

Mr. Speaker & Gentlemen of the House of Commons:

This House have appointed Mr. Ramsay & Mr. Respass, to act jointly with the Gentlemen by you appointed, to enquire what necessaries are or may be wanting for the Army, and make report thereof.

Received from the Commons a Bill for establishing a Town in Lincoln County, on the Lands of Valentine Mauney, which was read the second time, amended, passed and sent to the Commons.

Colo. Martin, who had Leave to take out and amend the Bill to carry into Effect an Act passed at New Bern, in November, in the year 1777, Intitled an Act for Confiscating the property of all such persons as are Inimical to the United States, &c., &c., presented said Bill, which was received with the amendment and sent to the Commons.

Received from the Commons a Bill for the Division of Dobbs County, and other purposes therein mentioned, which was read the second time, passed and sent to the Commons.

Received from the Commons a Bill for Dividing Anson County, and other purposes, which was read the second time, passed and sent to the Commons.

Resolved, that the Prisoners of War now on Parol in the different parts of this State be henceforth allowed the Sum of Six Dollars per Day, for their Subsistence.

Ordered that the foregoing Resolve, together with the following Message, be sent to the Commons:

Mr. Speaker & Gentlemen of the House of Commons:

It being obvious to this House that the Sum heretofore allowed Prisoners of War for their Maintenance is really inadequate, You will herewith receive, for your Concurrence, a Resolve of this House allowing them a larger Sum.

Received from the Commons a Bill for building a Court House in Elizabeth Town, in the County of Bladen, and Other purposes, which was read the second time, passed and returned to the Commons.

Received from the Commons a Bill to impower the Commissioners therein mentioned to purchase a Lot in the Town of Wilmington, for the District of Wilmington, and other purposes, which was read the first time, passed and returned to the Commons.

Colo. Graham, who had Leave to take out and amend the Bill for annexing part of Burke County to Lincoln, and other purposes, presented said Bill, which was read the second time, amended, passed and sent to the Commons.

Received from the Commons a Bill to impower the Executors of the last Will and Testament of Richard Quince, late of New Hanover County, Esquire, deceased, to sell part of the Estate of the said Richard Quince, and for other purposes therein mentioned, which was read the first time and Rejected.

Received from the Commons the following Message:

Mr. Speaker and Gentlemen of the Senate:

We herewith return the Resolve of your House allowing the Prisoners of War in this State Six Dollars per Day, for their maintenance, Concurred with by this House.

At the same time received the resolve of this House referred to in the foregoing Message.

Endorsed In the House of Commons 29th October, 1779, Concurred with.

Received from the Commons a Bill to enlarge the Jurisdiction of Justices of the peace, and for other purposes, which was read the second time, amended, passed and returned to the Commons.

The House adjourned till to-morrow Morning 9 o'Clock.

SATURDAY, 30th October, 1779.

The House met.

Mr. Thomas Harvey having produced a return from the Sheriff of Perquimans County, certifying he was Elected a Member to represent said County in the Senate, qualified agreeable to Law and took his Seat.

Received from the Commons a Bill to amend an Act Entitled an Act to encourage Benjamin Heron, Esquire, to build a Bridge over the north east Branch of Cape Fear River, at or near the place where the Ferry is now kept by Edward Davis, which was read the second time, passed and sent to the Commons.

Also a Bill to regulate Ordinaries, Houses of Entertainment and Ferries, and other purposes, which was read the second time, passed and sent to the Commons.

Also a Bill for erecting a Town on the Land of Thomas Hunter,

at Squhawkey, in Martin County, which was read the second time, passed and sent to the Commons.

Also a Bill to enable John Norwood, Surviving Executor of the last Will and Testament of Henry Bradley, Deceased, to sell and convey the Lands of the said Deceased, which was read the second time, passed and sent to the Commons.

Also a Bill for laying a Tax to defray the Expence of the public Buildings in the County of Nash, which was read the second time, amended, passed and sent to the Commons.

Also a Bill to amend an Act Intitled an Act to amend an Additional Act concerning Servants and Slaves, passed at New Bern, in the Year 1753, and other purposes therein mentioned, which was read the second time, amended, passed and sent to the Commons.

Also a Bill for punishing persons concerned in any of the several Species of Counterfeiting in this State, which was read the second time.

Mr. Shepperd then moved for leave to take out and amend said Bill.

Ordered that he have Leave.

Received from the Commons a Bill to carry into Effect an Act passed at New Bern, in November, in the Year 1777, Entitled an Act for confiscating the property of all such persons as are inimical to the United States, and of such persons as shall not, within a certain time therein mentioned, appear and submit to the State, whether they shall be received as citizens thereof, and of such persons who shall so appear and shall not be admitted as Citizens, and for other purposes therein mentioned, and for other purposes, which was read the second time, amended, passed and sent to the Commons.

Mr. Rand, one of the Gentlemen appointed to take out and amend the Bill to amend an Act entitled an Act for establishing Offices for receiving Entries of Claims for Lands in the several Counties within this State, for ascertaining the method of obtaining Titles to the same, and for other purposes therein mentioned; and also to amend one other Act Entitled an Act to amend an Act for establishing Offices for receiving Entries of Claims for lands in the several Counties within this State, for ascertaining the method of obtaining Titles to the same, and for other pur-

poses therein mentioned, presented said Bill, which was received with the amendments, read as the second time, passed and sent to the Commons.

Received from the Commons a Bill for building a Court House in Elizabeth Town, in the County of Bladen, which was read the third time, passed and ordered to be Engrossed.

Gen. Rutherford, who had leave to take out and amend the Bill to regulate and establish a Militia in this State, presented said Bill, which was received with the amendments and sent to the Commons.

Received from the Commons a Bill to prevent Distilling Grain into Spiritous Liquor, which was read the first time, passed and returned to the Commons.

Received from the Commons the following Message:

Mr. Speaker and Gentlemen of the Senate:

We herewith send for your Concurrence a resolve of this House allowing Aaron Dudley the Sum One Hundred and fifty pounds.

At the same time received the resolve of the Commons referred to in the foregoing Message, which, being read, was Concurred with.

Ordered that the following Message be sent to the Commons:

Mr. Speaker & Gentlemen of the House of Commons:

You will herewith receive the resolve of your House allowing Aaron Dudley one Hundred & fifty pounds, for Services therein mentioned, Concurred with.

Received from the Commons a Bill to confirm the Titles of certain Lands to sundry the Inhabitants of Duplin County, which was read the third time, passed and sent to the Commons.

Received from the Commons a Bill to empower the Commissioners therein mentioned to purchase a Lot in the Town of Wilmington, to build a Gaol thereon for the District of Wilmington, and for other purposes, which was read the second time, amended, passed and sent to the Commons.

On motion, Colo. Graham have leave of Absence from the Service of this House.

In order to prevent Accounts being twice presented and allowed, or any Imposition of the kind on the public,

Resolved, that for the future Colo. Nicholas Long be directed to receive and settle the Accounts of all the Continental Waggoners in this State, and pay the same if just, who shall lay the same before the General Assembly for their Inspection when required.

Resolved, further, that the Committees of Claims receive no Accounts of the said Waggoners, but refer them to Colo. Long.

Ordered that the foregoing Resolve, with the following Message, be sent to the Commons:

Mr. Speaker & Gentlemen of the House of Commons:

This House have thought it most conducive to the public good to refer the Accounts of the Continental Waggoners to Colo. Long, supposing he can discern the propriety of such Accounts more easily than a Committee of Claims; a resolve for that purpose we herewith send for your Concurrence.

Received from the Commons a Bill to amend an Act Entitled an Act for appointing Commissioners to fix on a certain place within the County of Montgomery to build a Court House, Prison & Stocks, and for other purposes therein mentioned, which was read the third time, amended by Consent, passed and Ordered to be Engrossed.

Also a Bill for dividing Anson County, and other purposes, which was read the third time, passed and ordered to be Engrossed.

Ordered that Colo. Kenan & Mr. Exum superintend the Balloting on the part of this House.

Colo. Kenan, one of the Gentlemen appointed, on the part of this House, to superintend the Balloting, Reported

That Edward Starkey, Esquire, was duly elected Councillor by a majority of the votes of both Houses, and that neither of the Candidates for the Office of Treasurer, for the District of Hillsborough, had a majority of Votes.

The House Concurred with the foregoing report.

Ordered that the following Message be sent to the Commons:

Mr. Speaker & Gentlemen of the House of Commons:

This House propose to Ballot, immediately, for a Treasurer for the District of Hillsborough.

MONDAY, 1st November, 1779.

The House met.

Received from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send you a Message from His Excellency the Governor, inclosing a Letter from the Governor of South Carolina, which we propose referring to a joint Committee and have, for that purpose, on our part, appointed Mr. Jones, Mr. Locke, Mr. Starkey, Mr. Montford, Mr. Bloodworth, Mr. Brown & Mr. Hawkins, a Committee, who are also to confer with Mr. Edward Rutledge, the Bearer of the Letter from the Governor of South Carolina to Governor Caswell, respecting an Aid from this State to South Carolina.

At the same time received the Letter referred to in the foregoing Message, which, being read,

Ordered that Messrs. Martin, Davis, Rutherford, Harvey, Rand, Salter & Hunt, act on said Committee, and that the following Message be sent to the Commons:

Mr. Speaker & Gentlemen of the House of Commons:

This House have appointed Colo. Martin, Mr. Davis, Gen. Rutherford, Mr. Harvey, Mr. Rand, Mr. Salter & Mr. Hunt, to act jointly with the Gentlemen by you appointed, to take under Consideration the Letter from the Governor of South Carolina.

Received from the Commons a Bill to prevent the stopping the Fish in the Uharie river, which was read the second time, passed and sent to the Commons.

Also a Bill to prevent persons from stopping the passage of Fish up Tar River, and Dan river, which was read the second time, passed and sent to the Commons.

Colo. Irwin, who had leave to take out and amend the Bill to prevent the stopping of Fish from running up Rockey river, presented said Bill, which was received with the amendment and sent to the Commons.

Received from the Commons a Bill for establishing Fairs at Halifax town and Edenton, which was read the second time, passed and sent to the Commons.

Also a Bill to prevent persons from injurying the Inland navi-

gation of Rivers, Creeks and Water Courses, in this State, in the Counties therein mentioned, which was read the second time, passed and returned to the Commons.

Also a Bill for prolonging the time for saving the Lots in the Town of Windsor and Winton, which was read the first time, passed and sent to the Commons.

Also a Bill to amend an Act Entitled an Act for establishing an Academy in the Town of Hillsborough, which was read the first time, passed and sent to the Commons.

Also a Bill for establishing an Academy in the County of Granville, and for appointing Trustees, and for other purposes, which was read the second time, passed and sent to the Commons.

Also a Bill to amend an Act Entitled an Act concerning Servants and Slaves, which was read the third time, passed and sent to the Commons.

Also a Bill for establishing the Salaries of the Judges of the Superior Courts, and of the Attorney General, and for other purposes, which was read the second time and Rejected.

And a Bill for giving to all persons having Lands in this State a farther time for proving and registering their Deeds and Mesne Conveyances, which was read the second time, amended, passed and sent to the Commons.

On motion, for taking under Consideration the State of the public Finances, and to enforce all persons entrusted with public Monies to make an immediate and fair Settlement for the same, the House resolved itself into a Committee of the whole House, and Chose Mr. Hunt, Chairman; and after some time spent therein, Mr. Speaker resumed the Chair, and Mr. Chairman reported

That the Committee had entered into no Resolutions on the Subjects to them Committed, but beg Leave to sit again at a future time.

The House Concurred with the report.

Read the Memorial of General Jones, setting forth that a number of Militia Officers, in the District of Halifax, have procured Exemptions under the late Act for raising Men, so that they can not be obliged to march out of the State; also that it will be necessary to appoint a Brigadier General for the District of Halifax pro tempore.

Ordered that the same lie for Consideration until to-morrow.

Received from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith return the resolve of your House for referring the Accounts of the Continental Waggons to settle, Concurred with by this House.

At the same time received the resolve of this House referred to in the foregoing Message.

Endorsed in the House of Commons 1st November, 1779, Concurred with.

Mr. Seawell, who had leave of absence from the service of this House until this Day, appeared and took his Seat.

Received from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your Concurrence the Report of the Committee appointed to take under Consideration the Petition of Thomas Turner, Concurred with by this House.

At the same time received the report of the Committee referred to in the foregoing Message, which, being read, was Concurred with.

Ordered that the following Message be sent to the Commons:

Mr. Speaker & Gentlemen of the House of Commons:

We herewith return the report of the Committee appointed to take under Consideration the Petition of Thomas Turner, Concurred with by this House.

Received from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your Concurrence a resolve of this House on the Petition of John Robinson, of Burke County.

At the same time received the resolve of the Commons referred to in the foregoing Message, which, being read, was Concurred with.

Ordered that the following Message be sent to the Commons:

Mr. Speaker & Gentlemen of the House of Commons:

The resolve of your House in favor of John Robinson, of Burke County, you will herewith receive, Concurred with.

The Committee appointed to take under Consideration the Petition of Abner Nash, Esquire, to whom also was referred the petition of Thomas Burke, Esquire, Reported, by General Rutherford,

That, having Considered the Allegations in the said Petition, are of Opinion that the Confiscation Law will greatly injure the said Thomas Burke, unless prevented by the Legislature, as to his Contract with Andrew Miller, an absentee now residing with the Enemies of this and the United States, late Executor of the last Will and Testament of James Milnor, Esquire, Deceased, for certain Land mentioned in this Petition, the said Miller not having made Conveyances for the same, and recommend that an Act of Assembly be passed in the favour of the said Thomas Burke, to prevent the injury Complained and vest in him the Title of the same.

The House taking said Report into Consideration, Concurred therewith.

Ordered that the following Message be sent to the House of Commons:

Mr. Speaker & Gentlemen of the Honse of Commons:

We herewith send for your Concurrence the report of the Committee appointed to consider the Petition of Thomas Burke, Esqr., Concurred with by this House.

Received from the Commons a Bill for laying a Tax to defray the Expense of the public Buildings in the County of Nash, which was read the third time, amended, passed and sent to the Commons.

Also a Bill to establish a road from James McDaniel's, in Pasquotank County, to the Widow White's, in Perquimons County, and grant a Toll for the same which was read the second time, passed and returned to the Commons.

Mr. Rand moved for Leave and presented a Bill for sending an Aid to the States of South Carolina & Georgia, which was read the first Time, passed and sent to the Commons.

Colo. Martin moved for Leave and presented the following Protest against passing the Bill for Dividing Anson County, and other purposes.

Dissentient.

Because, Each of the Counties to be formed by this Bill will not contain a regiment of One thousand, or at least Seven hundred and fifty Militia, the force necessary in every County for its Defence, the only standard for representation the Legislature can hold up, without greatly endangering the Liberties of Inhabitants of this State.

Because, This Bill is calculated to destroy that equal representation of the People, the best Security for equal and Constitutional Liberty, and will sanctify a Grievance which, thro the inattention of the Legislature, has already grown big with Consequences that will be fatal to the Legislative Power of this State.

Because, The County mentioned in the Bill, before the late Division thereof, not a year past, contained not more than fourteen Hundred Militia, will send nine Members to represent them in the General Assembly, when other Counties containing more than the same number are entitled only to three Representatives.

Because, population and not Territory constitute the power of the State, and this procedure of the House appears an open Trespass on and a direct Violation of the rights of the People & a wanton Surrender of the powers of Legislation transferring the same from a part of the people represented by three to a less number represented by nine, by which means, at some future period, a small Minority will give Law, and may entail Slavery on the Majority of the State.

Because, Britain, whose late Constitution has been the boast of Ages and the Wonder of Nations, is become the Melancholy Example of the Depravity of a Government where the people are unequally represented, where the corrupt and venal representations of a small number of the Inhabitants in old deserted Villages are Legislators to the Counties, Shires and great Towns containing Millions, an evil that has plunged that Kingdom into those late destructive Measures that have already shaken it to its Center and will sooner or later bring its boasted power to the Ground, and when we are treading the same path let us look on the Fate of Britain as our own and Tremble for ourselves.

ALEX. MARTIN.

The House adjourned till to-morrow morning 9 o'Clock.

Tuesday, 2nd November, 1779.

The House met.

Received from the Commons a Bill to amend an Act for ascertaining what Property in this State shall be deemed taxable Property, the method of assessing the same and collecting the public Taxes, and other purposes, which was read the first time, passed and sent to the Commons.

Mr. Shepperd, who had Leave to take out and amend the Bill to lay off a town in the County of Surry, on the Land the property of John Armstrong & William Shepperd, presented said Bill, which was sent to the Commons.

Mr. Respass has leave of Absence from the Service of this House after this Day.

Read the Memorial of Colo. Walter Lindsay, a Volunteer in the North Carolina Brigade.

Resolved, that the Treasurer of the District of Salisbury advance to the said Walter Lindsay, by half Yearly payments, the Sum of Fifty pounds annually during his life, as a Gratuity for his Services.

Ordered that the foregoing Resolve, with the following Message, be sent to the House of Commons:

Mr. Speaker & Gentlemen of the House of Commons:

You will herewith receive, for your Concurrence, a Resolve of this House, allowing Colo. Walter Lindsay, the annual Sum of Fifty pounds.

Received from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith return the Report of the Committee appointed to consider the Petition of Thomas Burke, Esqr., concurred with by this House.

At the same time received the report of the Committee referred to in the foregoing Message.

Endorsed In the House of Commons 2nd of November, 1779, Concurred with.

Received from the Commons a Bill for the Division of Dobbs County, and other purposes therein mentioned, which was read

the third time, amended by Consent of both Houses, passed and Ordered to be Engrossed.

Received from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

This House propose to Ballot, at 4 o'Clock this Evening, for a Treasurer for the District of Hillsborough, and desire the Concurrence of the Senate.

We put in nomination Matthew Jones, Memucan Hunt and John Taylor, Esquires.

The House examining the report of the Gentlemen appointed to superintend the Balloting for a Treasurer for the District of Hillsborough on Saturday last,

Resolved, that the Votes then in favour of Matthew Jones were sufficient to elect him, and that the Election was valid and Legal.

Ordered that the following Message be sent to the House of Commons:

Mr. Speaker & Gentlemen of the House of Commons:

As it is Evident that at the Balloting, on Saturday last, a sufficient number of votes appeared in favour of Matthew Jones, Esqr., to elect him a Treasurer for the District of Hillsborough, and this House having resolved that Election to be Legal, cannot Concur with your Message for Balloting for a Treasurer for the District of Hillsborough again.

Received from the Commons a Bill for sending an Aid to the States of South Carolina and Georgia, which was read the second time, amended, passed and sent to the Commons.

Received from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith return the Resolve of your House allowing Colo. Walter Lindsay the annual Sum of Fifty pounds, Concurred with.

At the same time received the resolve of this House referred to in the foregoing Message.

Endorsed In the House of Commons 2nd November, 1779, Concurred with.

Received from the Commons a Bill to enlarge the Jurisdiction of Justices of the peace, and for other purposes, which was read the third time, passed and Ordered to be Engrossed.

Also a Bill for establishing Fairs in Halifax Town & Edenton, which was read the third time, passed and Ordered to be Engrossed.

Also a Bill to prevent hunting in the Night time, with Gun and Fire light, and other purposes therein mentioned, which was read the second time, amended, passed and sent to the Commons.

Also a Bill for sending an Aid to the States of South Carolina & Georgia, which was read the third time, amended, passed and sent to the Commons.

And a Bill to establish a Board of Commissioners for settling and adjusting the public Accounts of this State, and other purposes.

The House adjourned till to-morrow morning 9 o'Clock.

Wednesday, 3rd November, 1779.

The House met.

Whereas, it is suggested to this House that a Cartel will shortly be dispatched from Charlestown to the Island of Providence to effect an Exchange for all Prisoners of War belonging to South Carolina, and it being expedient for this State to adopt a similar Measure touching their Prisoners; Therefore,

Resolved, that His Excellency the Governor be requested to send all the Prisoners of War belonging to this State as expeditiously as may be to said Island, in order to obtain in exchange an equal number of the good Citizens of this or the United States.

Ordered that the foregoing Resolve, with the following Message, be sent to the House of Commons:

Mr. Speaker & Gentlemen of the House of Commons:

We herewith send for your Concurrence a Resolve of this House requesting His Excellency to effect an Exchange of Prisoners.

Received from the Commons a Bill to prevent the stopping the Fish from running up Rockey river, which was read the Second time, passed with amendments and sent to the Commons.

Also a Bill for annexing a part of Carteret County to Jones, and other purposes, which was read the third time, passed and Ordered to be Engrossed.

Mr. Shepperd, who had Leave to take out and amend the Bill for punishing persons concerned in any of the several Species of

Counterfeiting in this State, presented the same, which was received with the amendments, read the second time, passed and sent to the Commons.

Received from the Commons a Bill to amend an Act for ascertaining what Property in this State shall be deemed taxable property, the method of assessing the same, and collecting the public Taxes, and other purposes, which was read the second time, amended, passed and sent to the Commons.

The Yeas and Nays being required by Gen. Rutherford, on passing the said Bill were as follows:

Yeas:	Nays:
O. Davis.	C. Robertson.
J. Gray.	I. Frasier.
J. Coor.	B. Cleveland.
E. Salter.	G. Rutherford.
K. McKenzie.	T. Owen.
H. Rhodes.	B. Exum.
J. Smith.	J. Saunders.
T. Relfe.	J. Childs.
W. Shepperd.	R. Irwin.—9.
A. Martin.	
J. Hogan.	
W. Russell.	
N. Boddie.	
J. Rand.	
G. Wynns.	
T. Harvey.	
B. Seawell.	
M. Hunt.—18.	

Received from the Commons a Bill for giving to all persons having Lands in this State a farther time for proving and registering their Deeds and Mesne Conveyances, and for other purposes, which was read the third time and Rejected.

Also a Bill to enable the Administrator of John Robinson, deceased, to sell and dispose of the Estate of said Robinson, which was read the first time, amended, passed and sent to the Commons.

Also a Bill to amend an Act Entitled an Act to amend the Staple of Tobacco, which was read the third time, amended, passe and sent to the Commons.

Also a Bill for Erecting a town on the Lands of Thomas Hunter, at Squhawkey, in Martin County, which was read the third time, passed and Ordered to be Engrossed.

Also a Bill to lay off a Town in the County of Surry, on the Lands, the property of John Armstrong & William Shepperd, at the Court House in said County, which was read the second time, amended, passed and sent to the Commons.

Also a Bill to regulate Ordinaries, Houses of Entertainment and Ferries, and other purposes, which was read the third time, amended, passed and sent to the Commons.

Also a Bill to empower the Commissioners therein mentioned to purchase a Lot in the Town of Wilmington, to build a Gaol for the District of Wilmington, and other purposes, which was read the third time, passed and Ordered to be Engrossed.

Also a Bill for dividing the Mecklenburg Regiment of Militia into two separate and distinct Regiments, which was read the first time, passed and sent to the Commons.

Also a Bill for prolonging the time for saving the Lots in the towns of Windsor and Winton, which was read the second time, passed and sent to the Commons.

And a Bill to prevent the stopping the Fish in the Uharie river, which was read the third time, passed and Ordered to be Engrossed.

Received from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith return the resolve of your House requesting His Excellency to effect an Exchange of Prisoners, Concurred with.

At the same time received the resolve of this House referred to in the foregoing Message.

Endorsed In the House of Commons 3rd November, 1779, Concurred with.

The House adjourned till to-morrow morning 9 o'Clock.

THURSDAY, 4th November, 1779.

The House met.

On motion, Ordered that a Writ of Election issue to the Sheriff of Northampton County to elect one Member to represent said

County in the Senate, in the room of Gen. Jones, who has vacated his Seat by the acceptance of the Office of Continental Delegate, and that the said Election be held on the 26th & 27th days of this Instant.

The House taking under Consideration the Memorial of Gen. Allen Jones,

Resolved, that Colo. Thomas Eaton be appointed Brigadier General of the District of Halifax, in the room of General Jones, during his Continuance in the Office of Continental Delegate.

Ordered that the foregoing Resolve, with the following Message, be sent to the House of Commons:

Mr. Speaker & Gentlemen of the House of Commons:

You will herewith receive, for your Concurrence, a Resolve of this House, appointing Colo. Thomas Eaton, Brigadier General of Halifax District, you will also Receive General Jones's Memorial on that Subject.

Resolved, that all Claims against the public, allowed and certified, and all Indented Loan Office Tickets properly endorsed, shall be received by the several Sheriffs in this State in Discharge of public Taxes for the present Year.

Ordered that the foregoing Resolve, with the following Message, be sent to the House of Commons:

Mr. Speaker & Gentlemen of the House of Commons:

We herewith send for your Concurrence a Resolve of this House empowering the several Sheriffs in this State to receive in payment of Taxes all Claims allowed and certified, and Indented Loan Office Tickets.

Received from the Commons a Bill for the more effectually preventing Engrossing and Forestalling, for the encouragement of Commerce and the Fair Trader, and for other purposes therein mentioned, which was ordered to be read.

Then, on motion, the House resolved itself into a Committee of the whole, Mr. Hunt in the Chair; and after some time spent thereon Mr. Speaker resumed the Chair and Mr. Chairman reported

That the Committee proposed several amendments to the said Bill.

The House received the amendments, and the Bill was read the second time, passed and sent to the Commons.

Received from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith return the resolve of your House impowering the several Sheriffs in this State to receive in payment of Taxes all Claims allowed and properly certified, and Indented Loan office Certificates, concurred with by this House.

At the same time received the resolve of this House referred to in the foregoing Message.

Endorsed In the House of Commons 4th November, 1779, Concurred with.

Received from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith return the resolve of your House appointing Colo. Thomas Eaton, Brigadier General of the District of Halifax, during the time General Jones shall continue a member of the Continental Congress, concurred with by this House.

At the same time received the resolve of this House referred to in the foregoing Message.

Endorsed In the House of Commons 4th November, 1779, Concurred with.

Received from the Commons a Bill to establish a road from James McDaniel's, in Pasquotank County, to the Widow White's, in Perquimans County, and granting a Toll on the same, which was read the third time, amended by Consent of both Houses, passed and Ordered to be Engrossed.

The House adjourned till to-morrow morning 9 o'Clock.

Friday, 5th November, 1779.

The House met.

Colo. Martin moved for Leave and presented a Bill to receive the Continental Battalions of this State, which was read the first time, passed and sent to the Commons.

Received from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send you the Petition of Thomas Person, Esquire, which we propose referring to the joint Committee to take under Consideration the Petition of Abner Nash, Esqr., and desire the Concurrence of the Senate.

On reading the Petition of the said Thomas Person, Esq., the House Concurred with the Commons in referring it to the Committee appointed to consider of the Petition of Abner Nash, Esq.

Ordered that the following Message be sent to the House of Commons:

Mr. Speaker & Gentlemen of the House of Commons:

This House have received your Message proposing to refer the Petition of Thomas Person, Esqr., to the Committee appointed to consider of the Petition of Abner Nash, Esqr., to which we agree.

Received from the Commons a Bill to prevent persons from stopping the passage of Fish up Tar River and Dan River, which was read the third time, passed and Ordered to be Engrossed.

Also a Bill for prolonging the time for saving the Lots in the towns of Windsor and Winton, which was read the third time, passed and Ordered to be Engrossed.

Also a Bill for dividing the Mecklenburg Regiment of Militia into two separate and distinct Regiments, which was read the second time, passed and sent to the Commons.

Also a Bill to Establish and lay out a Town in Washington County, which was read the third time, passed and Ordered to be Engrossed.

Also a Bill to enable John Kirkwood and Thomas Robeson to sell and dispose of the Estate of John Robinson, deceased, which was read the second time, passed with amendments, and sent to the Commons.

Received from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your Concurrence a Resolve of this House requesting Nicholas Long, Esq., Deputy Quarter Master General, to furnish the Assembly with a list of the Waggons in public Service and under his Care, &c.

At the same time received the resolve of the Commons referred to in the foregoing Message, which, being read, was Concurred with.

Ordered that the following Message be sent to the House of Commons:

Mr. Speaker & Gentlemen of the House of Commons:

The Resolve of your House directing Colo. Long to furnish this Assembly with an Account of the public Waggons, &c., you will herewith receive, Concurred with.

The House adjourned till to-morrow morning 9 o'Clock.

SATURDAY, 6th November, 1779.

The House met.

Received from the Commons a Bill to establish a Board of Commissioners for settling and adjusting the public Accounts of this State, and other purposes, which was read the second time, amended, passed and sent to the Commons.

Resolved, that His Excellency the Governor be requested to grant a Pardon to Colo. Benjamin Cleveland and Captain Benjamin Herndon, of Wilkes County, and others concerned in killing Lemuel Jones and William Coyle, two known Traitors, Murderers, Robbers and House thieves, and for beating James Harvel, who had harboured the same.

Ordered that the foregoing Resolve, with the following Message, be sent to the House of Commons:

Mr. Speaker & Gentlemen of the House of Commons:

You will herewith receive a Resolve of this House recommending Colo. Benjamin Cleveland & Capt. Benjamin Herndon, and others, to His Excellency the Governor to be Pardoned for killing Lemuel Jones and William Coyle, and for beating James Harvell, which is sent for your Concurrence.

Received from the Commons a Bill to carry into Effect an Act passed at New Bern, in November, in the Year 1777, Entitled an Act for confiscating the Property of all such persons as are inimical to this State or the United States, and of such persons as shall not, within a certain time therein mentioned, appear and submit to the State, whether they shall be received as Citizens thereof, and of such persons who shall so appear and shall not be admitted as Citizens, and for other purposes therein mentioned, and for other purposes, which was read the third time, amended, passed and sent to the Commons.

Received from the Commons a Bill to prevent hunting in the

Night time, with Gun and firelight, and other purposes therein mentioned, which was read the third time, amended by Consent, passed and Ordered to be Engrossed.

Whereas, Benjamin Hawkins, Esqr., Commercial Agent, &c., has purchased on behalf of the State Two Hundred thousand weight of Tobacco, and has chartered a vessel to transport Eighty thousand weight of the same to St. Eustatia, not being able to procure Vessels to carry the remainder,

Resolved, that the said Hawkins be empowered to dispose of the said Eighty thousand weight of Tobacco in manner heretofore directed by Resolves of the General Assembly and Instructions from His Excellency the Governor, and also to contract in any foreign port for any Quantity of Pork, not exceeding One thousand Barrels, and for the remaining One Hundred and Twenty thousand Weight of Tobacco to be delivered, either in any foreign Country or in this State, at his Discretion, and that he apply the Proceeds of said Tobacco and Pork to the purchase of such Articles for the use of this State as are directed by the aforesaid Instructions, and that he comply with the resolve of the General Assembly of the 21st October, respecting his purchasing of salt, &c.

Ordered that the foregoing Resolve, with the following Message, be sent to the House of Commons:

Mr. Speaker & Gentlemen of the House of Commons:

We herewith send for your Concurrence a Resolve of this House directing Benjamin Hawkins, Esqr., in the Execution of the Office of Commercial Agent for this State.

Received from the Commons a Bill to enable John Norwood, Surviving Executor of the last Will and Testament of Henry Bradley, Deceased, to sell and convey the Lands of the said Deceased, which was read the third time, passed and Ordered to be Engrossed.

Also a Bill to enable John Kirkwood and Thomas Robinson to sell and dispose of the Estate of John Robinson, deceased, which was read the third time, passed and Ordered to be Engrossed.

Also a Bill to amend an Act Intitled an additional Act concerning Servants & Slaves, passed at New Bern, in the Year 1753, and other purposes therein mentioned, which was read the third time, passed and Ordered to be Engrossed.

Received from the Commons a Bill to fill up the Continental Battalions of this State, and other purposes, which was read the first Time, passed and sent to the Commons.

Read the Petition of John Hogan, impeaching William McCauly, one of the Justices of the peace for Orange County, of Misbehaviour in Office.

Resolved, that the said William McCauly be cited to appear at the next Session of General Assembly, to answer the accusations of the said Hogan, and that William Courtney & Thomas Hart, Justices in said County of Orange, take the examination of the witnesses of the Parties & transmit the same to the next Assembly.

Ordered that the foregoing Resolve, with the following Message, be sent to the Commons:

Mr. Speaker & Gentlemen of the House of Commons:

You will herewith receive, for your Concurrence, a Resolve of this House citing William McCauly, Esqr., to appear at the next Session of Assembly, to answer the Accusations alledged in the Petition of John Hogan, Esquire.

Mr. Hogan and Mr. Relfe have Leave of absence from the Service of this House.

The House adjourned till to-morrow morning 9 o'Clock.

Sunday, 7th November, 1779.

The House met.

Received from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith return the resolve of your House directing Benjamin Hawkins, Esqr., in the Execution of the Office of Commercial Agent for this State, Concurred with.

At the same time received the resolve of this House referred to in the foregoing Message.

Endorsed In the House of Commons 7th November, 1779, Concurred with.

Received from the Commons a Bill to prevent the stopping of Fish from running up the Rockey & Haw rivers, which was read the third Time, passed and sent to the Commons.

Received from the Commons a Bill to amend an Act for ascer-

taining what Property in this State shall be deemed Taxable property, the method of assessing the same and collecting the public Taxes, and other purposes, which was read the third time, amended by Consent, passed and Ordered to be Engrossed.

Also a Bill to prevent persons from injurying the Inland Navigation of Rivers, Creeks & Water Courses, in this State, which was read the third time and Rejected.

Also a Bill for dividing the Mecklenburg Regiment of Militia into two separate & Distinct Regiments, which was read the third time, passed and Ordered to be Engrossed.

Received from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your Concurrence a Resolve of this House allowing William Tisdale, Esqr., the Sum of One Hundred and fifty pounds for making the great Seal of the State.

At the same time received the resolve of the Commons referred to in the foregoing Message, which, being read, was Concurred with.

Ordered that the following Message be sent to the Commons:

Mr. Speaker & Gentlemen of the House of Commons:

You will herewith receive the Resolve of your House allowing William Tisdale, Esqr., One Hundred and fifty pounds for making the great Seal of this State, Concurred with.

Received from the Commons a Bill to amend an Act Entitled an Act for establishing offices for receiving Entries of Claims for Lands, in the several Counties within this State, for ascertaining the method of obtaining Titles to the same, and for other purposes therein mentioned; and also to amend one other Act Entitled an Act to amend an Act for establishing offices for receiving Entries of Claims for Lands, in the several Counties within this State, for ascertaining the method of obtaining Titles to the same, and for other purposes, which was read the third time, passed and sent to the Commons.

Also a Bill for directing the method of appointing Jurors, in all Causes Civil and Criminal, which was read the third time, amended by Consent of both Houses, passed and Ordered to be Engrossed.

Resolved, that Benjamin Hawkins, Esqr., be desired to attend

this House to give Information of the State of the Transactions between William Savage, Merchant, of Edenton, and himself, in behalf of the State.

Received from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your Concurrence a Resolve of this House directing Colo. Long to pay the Board of War, in Virginia, for the Goods therein mentioned.

At the same time received the resolve of the Commons referred to in the foregoing Message, which, being read, was Concurred with.

Ordered that the following Message be sent to the House of Commons:

Mr. Speaker & Gentlemen of the House of Commons:

The Resolve of your House directing Colo. Long to pay the Board of War, in Virginia, for the Goods therein mentioned, you will herewith receive, Concurred with.

Received from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your Concurrence a Resolve of this House requesting Gen. Skinner to compleat the Settlement of the public Accounts, &c.

At the same time received the resolve of the Commons referred to in the foregoing Message, which, being read, was Concurred with.

Ordered that the following Message be sent to the House of Commons:

Mr. Speaker & Gentlemen of the House of Commons:

The Resolve of your House, requesting Gen. Skinner to compleat the Settlement of the public Accounts, you will herewith receive, Concurred with.

Received from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send you a Letter from Mr. Adam Boyd, which we propose referring to the joint Committee appointed to enquire what necessaries are or may be wanting for the use of our Army.

At the same time the Letter from Mr. Boyd was read, and the House Concurred with the Commons in referring the Consideration of it to the aforementioned Committee.

Ordered that the following Message be sent to the House of Commons:

Mr. Speaker & Gentlemen of the House of Commons:

This House Concur with yours in referring the Letter of Adam Boyd, Esqr., to the Consideration of the Committee appointed to consider what Articles are necessary for the use of our Army.

Received from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

This House have directed their Clerk to make up the Estimate of allowances at Twenty-five Dollars per Day, and to include Wednesday next.

The House Concurred with the foregoing Message, and Ordered that the following Message be sent to the Commons:

Mr. Speaker & Gentlemen of the House of Commons:

This House Concur with your Message for making up the Estimate of allowances at Twenty-five Dollars per Day, including Wednesday next.

The House adjourned till to-morrow morning 9 o'Clock.

Monday, 8th November, 1779.

The House met.

Received from the Commons a Bill to fill up the Continental Battalions of this State, and other purposes, which was read the second time, passed and returned to the Commons.

Also a Bill for punishing persons Concerned in any of the several Species of Counterfeiting in this State, which was Ordered to be read.

On reading the Bill, a motion was made that the Bill be amended so that no persons apprehended & charged with counterfeiting should be admitted to Bail; this being objected to, the Question was put and carried in the negative.

And the Yeas and Nays being required, by Gen. Rutherford, were as follows:

Yeas:	Nays:
C. Robertson.	J. Gray.
A. Ramsay.	J. Coor.
J. Frasier.	E. Salter.
B. Cleveland.	K. McKenzie.
W. Sheppard.	B. Seawell.
A. Martin.	H. Rhodes.
G. Rutherford.	M. Hunt.
J. Childs.	T. Faulcon.
R. Irwin.	S. Smith.
T. Harvey.—10.	J. Kenan.
	J. Saunders.
	T. Owen.
	J. Collier.
	W. Russell.
	N. Boddie.
	J. Rand.—16.

Then the said Bill was read the third time, passed and Ordered to be Engrossed.

Whereas, it is found by experience that the Office of Inspector over any considerable Brigade or Division of Militia, while in actual Service, is expedient and conducive to good Order and Discipline among such Troops, Therefore,

Resolved, that Major Henry Dickson be and he is hereby appointed Inspector General over the aid of Militia, voted by the present Assembly for the Defence of So. Carolina and Georgia, during the Continuance of such aid in Service, and that the said Henry Dickson be allowed the Sum of Four Hundred Dollars per month for this particular Service, and also to have and bear the Rank of Lieutenant Colonel of Militia.

Ordered that the foregoing Resolve, with the following Message, be sent to the Commons:

Mr. Speaker & Gentlemen of the House of Commons:

You will herewith receive, for your Concurrence, a Resolve of this House appointing Major Henry Dickson, Inspector General

over the aid of Militia, voted by the present Assembly, for the Defense of So. Carolina and Georgia, and allowing him a certain Sum for such Service.

Received from the Commons a Bill to establish a Town in the County of Surry, heretofore laid out on the Lands of John Armstrong and William Sheppard, at the Court House of said County, which was read the third time, passed and Ordered to be Engrossed.

The House adjourned till to-morrow morning 9 o'Clock.

TUESDAY, 9th November, 1779.

The House met.

Received from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith return the resolve of your House appointing Major Henry Dickson, Inspector General over the aid of Militia, voted by the present Assembly, for the Defence of South Carolina and Georgia, and allowing him a certain Sum for such Service, Concurred with.

At the same time received the resolve of this House referred to in the foregoing Message.

Endorsed In the House of Commons 9th November, 1779, Concurred with.

Resolved, that General Lillington be directed to reland the public Stores out of the Sloop George, now laying at Wilmington, and deliver said Sloop to the owners thereof, or their Order, without Delay, which said owners shall be entitled to receive adequate Satisfaction from the next Assembly for the hire of said Sloop.

And Resolved further, that Colo. Henry Young, of Wilmington, be requested to attend at the next Session of Assembly to give Information relative to his Contract for the hire of said Sloop.

Ordered that the foregoing Resolve, with the following Message, be sent to the House of Commons:

Mr. Speaker & Gentlemen of the House of Commons:

Herewith you will receive, for your Concurrence, a Resolve of this House relative to public Stores on board the Sloop George,

now lying at Wilmington, also for citing Colo. Young, of Wilmington, to attend the next Session of Assembly to give Information relative to the hire of said Sloop.

Received from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith return the resolve of your House relative to the Stores on board the Sloop George, &c., and also for citing Colo. Young to attend on the next Session of Assembly, Concurred with.

At the same time received the resolve of this House referred to in the foregoing Message.

Endorsed In the House of Commons 9th November, 1779, Concurred with.

Received from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send, for your Concurrence, a Resolve of this House requesting His Excellency the Governor to issue a Captain's Commission to Ptolemy Powell, &c.

At the same time received the resolve of the Commons referred to in the foregoing Message, which, being read, was Concurred with.

Ordered that the following Message be sent to the House of Commons:

Mr. Speaker & Gentlemen of the House of Commons:

You will herewith receive the resolve of your House requesting His Excellency the Governor to issue a Captain's Commission to Ptolemy Powell, Concurred with.

Resolved, that the person to be appointed, by this Assembly, Deputy Commissary of Military Stores and Deputy Clothier General, shall, previous to his entering on the Execution of those Offices, take an Oath that he will not, during his Continuance in Office, be engaged or concerned directly or indirectly in Trade or Merchandize on his own account, family consumption excepted, or otherwise than as the Duty of his office requires.

Ordered that the foregoing Resolve, with the following Message, be sent to the Commons:

Mr. Speaker & Gentlemen of the House of Commons:

You will herewith receive, for your Concurrence, a Resolve of this House Enjoining the person who, by this Assembly, shall be appointed Deputy Commissary of Military Stores & Deputy Clothier General, to take an Oath of Office.

Received from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith return the resolve of your House recommending Colo. Benjamin Cleveland and Captain Benjamin Herndon, and others, to His Excellency the Governor to be pardoned for killing Lemuel Jones and William Coyle, and for beating James Harvell, Concurred with by this House.

At the same time received the resolve of this House referred to in the foregoing Message.

Endorsed In the House of Commons 9th November, 1779, Concurred with.

Resolved, that John Hatch, Waggon Master of the Militia, lately to the Southward, under the Command of General Bryan, from the District of New Bern, be cited to attend at the next Session of Assembly to give Information of a Waggon and two Horses lost in the Service, belonging to Daniel Clany.

Ordered that the foregoing Resolve, with the following Message, be sent to the Commons:

Mr. Speaker & Gentlemen of the House of Commons:

You will herewith receive, for your Concurrence, a Resolve of this House citing John Hatch to attend at the next Session of Assembly, to give Information of a Waggon & Horses lost in the Service on the Expedition to South Carolina.

Received from the Commons a Message proposing amendments to the Bill to carry into Effect an Act passed at New Bern, in the Year 1777, Intitled an Act for confiscating the property of all such persons as are inimical to this State or the United States, &c., &c.

An amendment, in the following Words, was proposed by the Commons:

"Provided, nevertheless, that nothing herein Contained shall be construed to empower the Commissioners appointed by Virtue of

this Act to take into their possession any Household Furniture or Provision belonging to the aged Parents, Wives, Children or Widows of any person whose Estate is confiscated by virtue of this or any other Act passed in this State."

This amendment being objected to, the Question was put, and carried in the Affirmative.

Then the Yeas and Nays being required, by General Rutherford, were as follows:

Yeas.	Nays.
A. Ramsay.	J. Saunders.
J. Coor.	G. Rutherford.
E. Salter.	R. Irwin.—3.
K. McKenzie.	
B. Seawell.	
H. Rhodes.	
M. Hunt.	
J. Frasier.	
J. Faulcon.	
S. Smith.	
J. Kenan.	
A. Martin.	
T. Owen.	
J. Collier.	
W. Russell.	
J. Rand.	
W. Sheppard.	
B. Exum.	
J. Childs.	
N. Boddie.	
G. Wynns.—21.	

Mr. Russell has leave of absence from the Service of this House for the remaining part of the Session.

The House adjourned till to-morrow morning 9 o'Clock.

Wednesday, 10th November, 1779.

The Committee appointed to take under Consideration the Petition of Abner Nash, Esqr., to whom was also referred the Petition of Thomas Person, Esquire, Report

That they find the facts Stated in the Petition of Thomas Per-

son, Esquire, to be true, and are of the Opinion that a Provision ought to be made for the said Petitioner in the Bill for securing the right of certain Lands to the said Abner Nash, Esqr., all of which is submitted.

The House concurred with the foregoing Report and Ordered that the same, with the following Message, be sent to the Commons:

Mr. Speaker & Gentlemen of the House of Commons:

We herewith send you the report of the joint Committee appointed to take under Consideration the Petition of Abner Nash, Esqr., to whom was referred the Petition of Thomas Person, Esqr., Concurred with by this House.

Received from the Commons a Bill to vest the Title of certain Lands therein mentioned in Abner Nash, Esquire, and other purposes, which was read the third time, amended, passed and sent to the Commons.

Resolved, that Major John Nelson be and he is hereby appointed Deputy Inspector General, to act with Major Dixon heretofore appointed, to march with the aid voted by this Assembly for the Defense of South Carolina and Georgia, and that the said Nelson be entitled to the same pay and Rank allowed by the aforesaid Resolve to Major Dixon; and,

Resolved, further, that the Speakers of the Assembly be requested to write to General Sumner, desiring the aforementioned Officers have leave to perform this Duty.

Ordered that the foregoing Resolve, with the following Message, be sent to the Commons:

Mr. Speaker & Gentlemen of the House of Commons:

You will herewith receive a Resolve of this House appointing a Deputy Inspector General over the Aid of Militia Ordered to South Carolina, which we send for your Concurrence.

Received from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith return the Report of the joint Committee on the Petition of Thomas Person, Concurred with.

At the same time received the report of the Committee referred to in the foregoing Message.

Endorsed In the House of Commons 10th November, 1779, Concurred with.

Whereas, upon the Dismission of the State Regiment, it is probable that, of the Horses, Waggons, Military Stores & Camp Equipage, &c., thereto belonging to, Individuals still retain in their Hands, to a Considerable Amount,

Resolved, therefore, that Colo. Nicholas Long, Quarter Master General, be and he is hereby empowered and requested to obtain and take into his possession (on behalf of the public) all the Horses, Waggons with their Implements, Military Stores and Camp Equipage of every kind, to said Regiment lately belonging, wheresoever the same may be or in whatsoever persons Possession such Articles may be found; and further, that when there may be just ground to suspect that any person hereafter fraudulently doth retain any of the aforesaid Articles in his possession under pretence of the same being his own Property, that it shall and may be legal for any Justice of the peace within his own County to call and cause such suspected persons to come before him and examine such person on Oath respecting the Remedies.

Ordered that the foregoing Resolve, with the following Message, be sent to the Commons:

Mr. Speaker & Gentlemen of the House of Commons:

You will herewith receive, for your Concurrence, a Resolve of this House empowering Colo. Long to take into his Possession all the public Waggons, Horses and Military Stores, lately made use of by the State Regiment.

Received from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith return the Resolve of your House citing John Hatch to attend on the next Session of Assembly, &c., Concurred with.

At the same time received the resolve of this House referred to in the foregoing Message.

Endorsed In the House of Commons 9th November, 1779, Concurred with.

Received from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith return the Resolve of your House impowering

Colo. Long to take into his possession all the public Waggons, Horses and Military Stores, lately made use of by the State Regiment.

Also the Resolve appointing a Deputy Inspector General over the aid of Militia Ordered to South Carolina, Concurred with.

At the same time received the resolves of this House referred to in the foregoing Message.

Endorsed In the House of Commons 10th November, 1779, Concurred with.

Resolved, that Thomas Scarlock be and he is hereby appointed Commissary of Issues, for the purpose of supplying the Soldiers and Prisoners in and about Halifax with Provisions. That he be directed to receive of William Amis all the Public Provisions now in his Hands, and that he be allowed, at the next Assembly, an adequate reward for such Services.

Ordered that the foregoing Resolve, with the following Message, be sent to the Commons:

Mr. Speaker & Gentlemen of the House of Commons:

You will herewith receive, for your Concurrence, a Resolve of this House appointing Thomas Scarlock, Commissary of Issues, for the purpose of supplying the Soldiers & Prisoners in and about Halifax with Provisions.

Resolved, that His Excellency the Governor be empowered to establish a Company of Militia, consisting of not more than twenty-five men, to be composed and Officered of the Inhabitants of said Island, and to be stationed there for its Protection and Defence, which said Company shall be Entitled to the same pay and Rations as the Garrison of Fort Johnston are Entitled to receive.

Resolved, also, that His Excellency the Governor direct that Thomas Benbury & Robert Smith, Esquires, deliver to the Officers of the said Company four pieces of Cannon, Eighteen and twenty-four pounders, imported into this State by Capt. Borrits, from Spain, and that he also direct the said Company to be furnished with a sufficient Quantity of Powder and Ball for the aforementioned purposes.

Ordered that the foregoing Resolve, with the following Message, be sent to the Commons:

Mr. Speaker & Gentlemen of the House of Commons:

Herewith you will receive, for your Concurrence, a Resolve of this House for embodying a Company for the Defence of Ocracock.

Resolved, that John Graham be allowed the Sum of Two Hundred & fifty-six pounds for acting as Quarter Master to General Rutherford's Brigade, that the Treasurers or either of them pay him the same, who shall be allowed, &c.

Ordered that the foregoing Resolve, with the following Message, be sent to the Commons:

Mr. Speaker & Gentlemen of the House of Commons:

You will herewith receive, for your Concurrence, a Resolve of this House in favour of John Graham.

Received from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith return the resolve of your House appointing Thomas Scarlock, Commissary, &c., Concurred with.

At the same time received the resolve of this House referred to in the foregoing Message.

Endorsed In the House of Commons 10th November, 1779, Concurred with.

Received from the Commons a Bill for Establishing an Academy in the County of Granville, and for appointing Trustees, and for other purposes, which was read the third time, passed and Ordered to be Engrossed.

Received from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send, for your Concurrence, a Resolve of this House impowering the Commanding Officers in the respective Counties to appoint persons to take into their possession the stray Cattle & Horses belonging to the public.

At the same time received the resolve of the Commons referred to in the foregoing Message, which, being read, was Concurred with.

Ordered that the following Message be sent to the Commons:

Mr. Speaker & Gentlemen of the House of Commons:

The Resolve of your House empowering the Commanding Officers in the respective Counties to appoint persons to take into their possession the Stray Cattle & Horses belonging to the public, you will herewith receive, Concurred with.

Received from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith return the resolve of your House in favour of John Graham, Concurred with.

At the same time received the resolve of this House referred to in the foregoing Message.

Endorsed In the House of Commons 10th November, 1779, Concurred with.

Received from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith return the resolve of your House enjoining the person to be appointed Deputy Commissary of Military Stores & Deputy Clothier General to take an Oath of Office, Concurred with.

At the same time received the resolve of this House referred to in the foregoing Message.

Endorsed In the House of Commons 10th November, 1779, Concurred with.

Received from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send you a Letter from Thomas Craike, Esqr., resigning his appointments of Deputy Commissary of Military Stores and Deputy Clothier General; also a resolve of this House, for your Concurrence, appointing Robert Rowan, Esqr., to fill the said appointments.

At the same time received the resolve of the Commons referred to in the foregoing Message, which, being read, was Concurred with.

Ordered that the following Message be sent to the House of Commons:

Mr. Speaker & Gentlemen of the House of Commons:

You will herewith receive the Resolve of your House appointing Robert Rowan, Esqr., Deputy Commissary of Military Stores and Deputy Clothier General, Concurred with.

Received from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send, for your Concurrence, a Resolve of this House impowering Mr. William Lock to receive a number of old Guns and a broken Waggon from Matthew Lock, Esqr., to sell the same and pay the money to the Treasurer of the District of Salisbury.

At the same time received the resolve of the Commons referred to in the foregoing Message, which, being read, was Concurred with.

Ordered that the following Message be sent to the Commons:

Mr. Speaker & Gentlemen of the House of Commons:

You will herewith receive the Resolve of your House empowering Mr. William Lock to receive a number of old Guns and a broken Waggon from Matthew Lock, Esqr., and to sell the same, Concurred with.

Resolved, that Andrew Allison, a wounded Soldier be allowed the Sum of Two Hundred pounds for his Support, and that the Treasurers or either of them pay him the same, who shall be allowed.

Ordered that the foregoing Resolve, with the following Message, be sent to the Commons:

Mr. Speaker & Gentlemen of the House of Commons:

You will herewith receive a Resolve of this House in favour of Andrew Allison, a wounded Continental Soldier, which is sent for your Concurrence.

Received from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send, for your Concurrence, a Resolve of this House requiring Robert Rowan, Esqr., to enter into Bond with sufficient Security, &c., before he enters on the Execution of the offices of Deputy Commissary General of Military Stores, &c.

At the same time received the resolve of this House of Commons referred to in the foregoing Message, which, being read, was Concurred with.

Ordered that the following Message be sent to the Commons:

Mr. Speaker & Gentlemen of the House of Commons:

You will herewith receive the Resolve of your House requiring Robert Rowan, Esqr., to enter into Bond, Concurred with by this House.

Received from the Commons a Bill to fill up the Continental Battalions of this State, and other purposes, which was read the third time and Rejected.

Received from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith return the Resolve of your House for impowering the Governor to establish a Company of Militia for the Defence of Ocracock, Concurred with.

At the same time received the resolve of this House referred to in the foregoing Message.

Endorsed In the House of Commons 10th November, 1779, Concurred with.

Received from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send, for your Concurrence, a Resolve of this House impowering His Excellency the Governor, with the advice of the Council, to call a meeting of the Assembly sooner than the first Monday in April next, provided it shall be absolutely necessary.

At the same time received the resolve of the Commons referred to in the foregoing Message, which, being read, was Concurred with.

Ordered that the following Message be sent to the House of Commons:

Mr. Speaker & Gentlemen of the House of Commons:

You will herewith receive the resolve of your House impowering His Excellency the Governor, with the advice of the Council,

to call a Meeting of the Assembly sooner than the first Monday in April next, provided it shall be absolutely necessary, Concurred with by this House.

Resolved, that Colo. Martin Armstrong be allowed the Sum of Six Hundred and Seventy-four pounds sixteen Shillings for Flour & Beef furnished Michael Henderson, for the Troops commanded by General Rutherford, in November, 1778, that the Treasurers or either of them pay him the same, who shall be allowed.

Ordered that the foregoing Resolve, with the following Message, be sent to the Commons:

Mr. Speaker & Gentlemen of the House of Commons:

You will herewith receive a Resolve of this House in favour of Martin Armstrong, which is sent for your Concurrence.

Received from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send, for your Concurrence, a resolve of this House directing the Clerk to deliver to General William Skinner, or his order, the Vouchers, &c., belonging to the Account he Stated against the United.

At the same time received the resolve of the Commons referred to in the foregoing Message, which, being read, was Concurred with.

Ordered that the following Message be sent to the House of Commons:

Mr. Speaker & Gentlemen of the House of Commons:

You will with this receive the Resolve of your House directing the Clerk to deliver to General Skinner, or order, the Vouchers, &c., therein mentioned.

Received from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith return the Resolve of your House in favor of Martin Armstrong, Concurred with.

At the same time received the resolve of the House referred to in the foregoing Message.

Endorsed In the House of Commons 10th November, 1779, Concurred with.

Received from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send, for your Concurrence, a Resolve of this House for allowing an additional Sum of Ten Dollars per Day to the Members of the Council of State.

At the same time received the resolve of the Commons referred to in the foregoing Message, which, being read, was Concurred with.

Ordered that the following Message be sent to the House of Commons:

Mr. Speaker & Gentlemen of the House of Commons:

We herewith return the resolve of your House allowing Ten Dollars per Day to the Councillors, Concurred with.

Received from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith return the Resolve of your House in favour of Andrew Allison, Concurred with.

At the same time received the resolve of this House referred to in the foregoing Message.

Endorsed In the House of Commons 10th November, 1779, Concurred with.

Received from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

It appears by the Reports of the Committee of Accounts that there is in the hands of the Chairman the sum of two thousand five Hundred & Eighteen pounds four Shillings, old proclamation money, which we propose burning, and desire that the Senate would send some of the Members of their House to see the same done.

Ordered that Mr. Hunt and Mr. Rhodes attend to see the proclamation money burned.

The Business of the Session being Ended,

Resolved, that the Speaker & Clerk sign the Journals as the acts of this House.

By order

SITGREAVES, Clerk. A. NASH, S. S

The following is appended at the end of this Journal.—Ed.

Resolve allowing John Jarvis 56.16 for a Certificate heretofore granted & lost. Toole's first Journal, 12th November, 1779.

Resolve allowing Robert Lanier 37.0.6 for a Certificate heretofore granted and lost. Toole's first Journal, 12th November, 1779.

Resolve allowing William Amis 500 pounds to supply the Troops at Halifax. Toole's Second Journal, 9th December, 1777.

Resolve allowing Thomas Whitson an Annuity of 10 pounds, for three Years. Toole's Second Journal, 15th December, 1777.

Resolve allowing James Davis, Esqr., the Su m of 550 pounds for printing the Confederation Journals, &c., of last Session. Toole's 4th Journal, 22d December, 1777.

Resolve allowing the Commissioners appointed to run the dividing Line and hold a treaty with the Indians 1,000 pounds. Toole's 4th Journal, 23rd December, 1777.

Resolve allowing James Davis, Esquire, 75 pounds, for printing Blank Certificates. Sitgreaves' first Journal, 14th day of April, 1778, Newbern. Allowance made 25th April.

Resolve allowing John Christain 20 pounds. Sitgreaves' Journal, Newbern, 14th April, 1778. Allowance made 25th April.

Resolve allowing Nicholas Long 1,400 pounds for 4 Waggons & Teams, sent to Headquarters and detached on public acct. Sitgreaves' 2nd Journal, Newbern, 14th April, 1778. Allowance made 30th April.

Resolve allowing Archibald Best Eighty pounds for apprehending the Murderers of Nathaniel Richardson. Sitgreaves' first Journal, Hillsborough, 8th day August, 1778. Allowance made 11th day.

Resolve allowing James Williams, Esq., £400 for damage done his Houses in Halifax Town, by Continental Soldiers. Sitgreaves' first Journal, Hillsborough, August, 1778. Allowance made 15th of December.

Resolve allowing doctor Lancelot Johnston £150 to purchase Medicines for Troops. Sitgreaves' first Journal, Hillsborough, August, 1778. Allowance made 16th August.

Resolve allowing Martin Armstrong, contractor, £500. Sitgreaves' first Journal, 8th August, 1778. Allowance made 19th December.

Resolve allowing Sarah Dupree £80 for Negro Executed. Sitgreaves' first Journal, January, Halifax, 1779. Allowance made 27th.

Resolve allowing James Robertson £487.18.1¾ for his Services while Tending on Indian Affairs. Sitgreaves' first Journal, Halifax, January, 1779. Allowance made 29th.

Report of Committee allowing Commissary of Stores to draw on the Treasury for £15,000, to purchase Cloth for Officers. Sitgreaves' 2nd Journal, Halifax, January, 1779. Allowance made 5th February, 1779.

Resolve allowing Charles Waddel £12 for sundry Services. Sitgreaves' Second Journal, January & February, 1779. Allowance made 9th February.

Resolve allowing William Bryan, of Johnston County, £271.12.11, an equal Sum of his own being spent on public account. Sitgreaves' Second Journal, January & February, Halifax, 1779. Allowance made 9th February.

Resolve allowing William Wooten a further Sum of £5,000, to compleat his contracts on public accounts. Sitgreaves' 2nd Journal, January & February, 1779. Allowance made 9th February.

Resolve allowing Charles Pasteur £110 for Medicines furnished Sick Soldiers. Sitgreaves' 2nd Journal, Halifax, January & February, 1779. Allowance made 9th February.

Resolve allowing Charles Pasteur £162 for Medicines. Sitgreaves' 2nd Journal, Halifax, January & February, 1779. Allowance made 10th February.

Resolve allowing Dr. Wm. Savage £884.12 for, furnishing Chariol's Troops. Sitgreaves' 2nd Journal, January & February 1779. Allowance made 11th February.

Resolve allowing Whitmell Hill £252.5.2, he having advanced that Sum on public account. Sitgreaves' Journal, January & February, 1779. Allowance made 11th February.

Resolve allowing William Amis £4,000, to be applyed in his department. Sitgreaves' 2nd Journal, Halifax, January & February, 1779. Allowance made 11th February.

Resolve allowing Benjamin Duberry 370 Dollars, for his expences and Trouble in apprehending Deserters. Sitgreaves' first Journal, Halifax, 18th October, 1779. Allowance made 26th October.

Resolve allowing William Flewellin £476, for the use of his Waggon & Team a certain Time. Sitgreaves' first Journal, Halifax, October, 1779. Allowance made 27th October.

Resolve that John Graham be allowed £256, for acting as Quarter Master to Rutherford's Brigade. Sitgreaves' 2nd Journal, Halifax, October, 1779. Allowance made 9th November.

Resolve allowing Martin Armstrong £674.16, for provision furnished the public. Sitgreaves' Second Journal, Halifax, October & November, 1779. Allowance made 10th November.

Resolve allowing Andrew Allison £200, for his support. Sitgreaves', Halifax, October & November, 1779. Allowance made 10th November.

Resolve allowing William Skinner 5,000 pounds, for settling Public Accounts. Sitgreaves' Smithfield Journal, 3rd May, 1779. Allowance made 13th May.

Resolve impowering the Governor to draw on the Continental Treasury for 2 Millions five Hundred Thousand dollars. Sitgreaves' Smithfield Journal, 3rd May, 1779. Allowance made 15th May.

Resolve directing the Treasurers to pay into the Hands of John Haywood, Sec. Board of War, 50,000 pounds. John Haywood, first Journal, Halifax, January & February, 1781. Allowance made 2nd February.

Resolve allowing George Harper 20 Barrels of Corn, out of Specific Tax, Franklin County. John Haywood, Halifax, January & February, 1781. Allowance made 10th February.

Resolve allowing Thomas Hunter 11,950 pounds, for so much of his own spent on public Account. John Haywood, Halifax, January & February, 1781. Allowance made 11th February.

Resolve allowing Isaac Gregory £25,000, to defray necessary expences. John Haywood, Halifax, February, 1781. Allowance made 13th February.

Resolve allowing Isaac Shelby Eight Thousand five Hundred and thirty-Seven dollars, for an equal Sum spent in the Service. John Haywood, Halifax, January & February, 1781. Allowance made 14th February.

Resolve allowing Gen. Harrington 36,587 dollars, for sundry Sums by him spent on public account, amongst which was 920 Continental dollars.

Resolve allowing James Iredell 20,000 pounds, for his last year's Services, to be paid by the Treasurer of Edenton District. John Haywood, Wake Session, 23rd June, 1781. Allowance made 28th June.

Resolve allowing Robert Bignall, Esqr., £14,744 for Counsel attendance.

Resolve allowing John Spicer, Esquire, Nine thousand and Eighty-two pounds, for his Services on the Council. John Haywood, Wake, 23rd June, 1781. Allowance made 13th July, 1781.

Report of Committee allowing Joshua Gordon 25 Barrels of Corn. John Haywood, Wake, 23rd June, 1781. Allowance made 14th July.

Resolve allowing W. Vass 25,000 pounds, for Service. John Haywood, Wake, enclusive 1800 dollars, (720 pounds) which he is also allowed.

Resolve allowing Joel Lane 15,000 pounds, as a compensation for House Rent, Pasturage, &c. John Haywood, Wake, 23rd June. Allowance made 14th July, 1781.

Resolve allowing James Glasgow £201.9.0 Specie, the Ballance of his Account as per Report of the Committee, to whom the same was referred, either of the Treasurers to pay him. John Haywood, Hillsborough, 15th April, 1781. Allowance made 5th May.

Resolve allowing Daniel Shaw 30 Barrels of Corn, to support on. John Haywood, Hillsborough, April & May, 1782. Allowance made Sixth of May.

Resolve allowing Frances Newby 30 Barrels of Corn, to be paid him out of the Specific Tax. John Haywood, Hillsborough, May, 1782. Allowance made 8th May, 1782.

Resolve allowing John Spiers 30 Barrels of Corn, out of the Specific Tax, of Cumberland. John Haywood, Hillsborough, May, 1781. Allowance made 10th May.

Resolve allowing Lewis Tucker 20 Barrels of Corn, out of Randolph. John Haywood, Hillsborough, day above.

Resolve allowing Elizabeth Forbes 25 Barrels of Corn, out of the Specific Tax, of Guilford County. John Haywood, Hillsborough, April & May Session, 1782. Allowance made 11th May. She is also allowed the like Quantity for the Year Eighty-Three.

Resolve allowing William Sharpe £248.9 Specie, for his Congress Service.

Resolve allowing Abner Nash £593.3.4, the Balance due for his Salary, &c. John Haywood, Hillsborough, April & May, 1782. Allowance made 14th May.

Resolve allowing James Coor £114.9, Specie, for his own and Son's attendance on Accounts.

Resolve allowing John Hawks 46 pounds, Specie, for Services as Auditor for a certain time.

Resolve allowing Mr. Bryan 20 pounds, Specie, for his attendance as an Auditor, that the Treasurers, or either of them pay the above Sums. John Haywood, Hillsborough, April & May, 1782. Allowances made 15th May.

Resolve allowing John Huske, Sec. to Gov. Burke, 130 pounds, Specie, for his many great and important Services rendered, when acting in that Office. John Haywood, Hillsborough, April & May, 1782. Allowance made 15th May.

HOUSE JOURNAL.

STATE OF NORTH CAROLINA,
IN THE HOUSE OF COMMONS.

At the General Assembly, begun and held at Halifax on the Eighteenth Day of October, in the year of our Lord one Thousand Seven Hundred and Seventy-Nine, and in the fourth Year of the Independence of the said State, Being the Second Session of this Assembly.

The Honorable Thomas Benbury, Esqr., Speaker, and the following Members appeared and took their Seats, viz.:

Messrs. Robert Smith, Robert Peebles, Willie Jones, Henry Montfort, Joseph Hawkins, John Macon, William Haywood, Robert Tripp, John Kennady, James Gorham, John Williams (Pitt), Frederick Harget, Hardy Bryan, John Blackstock, Willis Bright, Edward Starkey, John A. Campbell, William Boyd, Phil. Hawkins, Benjamin Spruill, Joshua Swain, James Campbell, Miles Abernathy, John Hinton, Benjamin Williams, Richard Clinton, Lewis Bryan, Thomas Reading, Charles Medlock, William McCrawley, Mark Patterson, Daniel Gillespie, John Kimbrough, Thomas Person, Timothy Bloodworth, Thomas Tullock, Samuel Cain, Thomas Brown, Samuel Williams, William Horn, James Vaughan, William Hooper, Gray Bynum and Thomas Sherrod.

The Sheriff of Franklin County Certified that John Norwood, Esqr., was duly Elected a Member of the Commons House of Assembly, for the said County, in the room and stead of Green Hill, Esqr., whose seat was vacated by his acceptance of the appointment of Treasurer of the District of Halifax, whereupon the said John Norwood, Esqr., appeared, was qualified and took his Seat.

The Sheriff of Randolph County Certified that John Arnold, Esq., was Duly Elected a member of the Commons House of Assembly, for said County, in the room and stead of Absolom Tatum, Esqr., Whose Seat was vacated by his being Clerk of the Court of said County at the time of his being Elected a member thereof, Whereupon the said John Arnold, Esqr., appeared, was qualified and took his Seat.

Mr. Elisha Isaacks, one of the Members for Wilkes County; Mr. Jesse Walton & Mr. Henry Clarke, the Members for Washington County; Mr. Jacob Shepperd, one of the Members for Randolph County; Mr. Moses Winslow, one of the Members for Rowan County; Mr. William Baker, one of the Members for Gates County; Mr. John Humphreys, one of the Members for Currituck County; Mr. Caleb Grandy, one of the Members for Camden County, and Mr. Augustin Willis, one of the Members for Halifax County, appeared, were qualified and took their Seats.

The Sheriff of Craven County Certified that Mr. Richard Dobbs Spaight was duly Elected a Member of the Commons House of Assembly, for the Town of New Bern, in the room and stead of Richard Cogdell, Esqr., whose seat was vacated by his acceptance of the appointment of Treasurer for the District of New Bern, Whereupon the said Mr. Spaight appeared, was qualified and took his Seat.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen of the Senate:

This House being now formed acquaint you that they are ready to proceed on business.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen of the House of Commons:

This House have also met and are ready to proceed on Public business, and propose the address herewith sent you be presented to His Excellency the Governor.

At the same time received the address referred to in the above Message, and the same being read was rejected.

Ordered that the following Message be addressed to His Excellency the Governor:

To His Excellency Richard Caswell, Esquire, Governor, Captain, General, &c., &c.:

Sir:

The two Houses of the General Assembly being now formed acquaint your Excellency that they are ready to take under consideration such matters as are necessary to be laid before them which you may have received since the rising of the last Assembly.

Ordered that the above address to His Excellency the Governor be sent to the Senate for their Concurrence, together with the following Message:

Mr. Speaker & Gentlemen of the Senate:

Herewith you will receive a Message addressed to His Excellency the Governor, which we propose instead of that which originated in the Senate, as we apprehend it to be more full.

The House adjourned til 4 o'Clock P. M.

The House met according to Adjournment.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen of the House of Commons:

We have received your Message proposing an address to His Excellency the Governor, instead of the one proposed by this House, to which we agree, and have appointed Mr. Hunt, on the part of this House, to wait on His Excellency with the same.

Ordered that Mr. Hawkins be appointed, on the part of this House, to wait on His Excellency the Governor with the above mentioned address, in Conjunction with Mr. Hunt.

Resolved, that Mr. McCrawley, Mr. Horn, Mr. Medlock, Mr. Jones, Mr. Jas. Campbell, Mr. Isaacs, Mr. Haywood, Mr. Person, Mr. Starkey, Mr. R. Abernathy, Mr. Norwood, Mr. Willis, Mr. J. Campbell, Mr. Peebles and Mr. Patterson, be a Committee of Priviledges and Elections.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen of the House of Commons:

This House have, on their part, appointed Messrs. Coor, Hunt and Ramsey, a Committee of Public Accounts; and Messrs. Rutherford, Hogan, Rhodes, Shepperd, Cleveland, Frazier, Seawell and Owen, a Committee of Public Claims.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen of the Senate:

This House have received the Message of yours appointing Committees of Accounts and Claims, and have, on their part,

appointed Mr. Phil. Hawkins, Mr. Smith, Mr. Gorham, Mr. Starkey, Mr. Bloodworth and Mr. Blackstock, as a Committee of Accounts; and Mr. J. Campbell, Mr. Brown, Mr. Tullock, Mr. Hinton, Mr. Harget, Mr. Bryan, Mr. Boyd, Mr. Spruill, Mr. Macon, Mr. Joseph Hawkins, Mr. Winslow and Mr. Medlock, as a Committee of Claims, to act jointly with the Gentlemen by you appointed for the purposes aforesaid.

Received from His Excellency the Governor the following Message:

To The Honorable the General Assembly:

GENTLEMEN:—

Herewith you will receive sundry Resolutions of Congress, Letters from the President, and the Delegates of this State, with sundry other Public Letters and Papers, which I lay before you for your information and consideration.

You will also receive sundry Copies of the Journals of Congress, two Hundred proof sheets of the Continental Currency emitted in September, 1778; A Copy of the Laws passed in the State of New York in the years 1778 and 1779, a Copy of the Journal and proceedings of the Council of State since the last Session.

The several matters recommended to me by the Council have been carried into effect, so far as the same were practicable.

You will be pleased to observe that the appointment of Public Officers, by me made, in consequence of the advice of the Council since the last Session of the General Assembly, will end with the present Session; of course you will either continue those Officers, or supply their places by such appointments as you shall think proper. You will also observe among the papers laid before you, is a Letter from William Johnston, Esqr., declining to accept the office of Treasurer of the District of Hillsborough, that Letter came to hand so lately that I thought it most proper to defer the appointment till the meeting of the General Assembly.

In pursuance of a Resolution of the last Session I drew on Congress for Two Million and Five hundred Thousand Dollars, but have only received one Million of Dollars, part of which is Lodged in the Treasury & the remainder will be paid to the Treasurers on their arrival in Town. The motives which induced

Congress to make only a partial payment you will find mentioned in the Delegates' letter of the fifteenth of July.

Mr. Sampson and Mr. Respass having declined Qualifying as Members of the Council of State, has rendered the attendance of the Gentlemen who have taken their Seats at that Board more burthensome, You will therefore be pleased to appoint two Gentlemen, in the room of Mr. Sampson and Mr. Respass, as soon as it may be convenient.

At the same time received the several Resolutions of Congress, Letters, &c., &c., referred to in the above Message.

Ordered that the same lie over until To-morrow Morning 9 o'Clock.

Tuesday, 19th October, 1779.

The House met according to Adjournment.

The Honorable the Speaker laid before the House a Letter from James Green, jun., Esq., Treasurer of the Continental Loan Office, of the 7th Inst., &c.

Also a Resolution of the General Assembly of the State of Virginia, and the same, being read, were ordered to lie on the Table for Consideration.

Read the Memorial of James Davis, Esqr., Public printer of this State.

Ordered that the same lie on the Table until To-morrow, for Consideration.

Mr. James Gillespie, one of the Members for Duplin County, and Stephen Miller, one of the Members for Anson County, appeared and took their seats.

Received from the Senate a Bill for annexing part of Burke County to Lincoln, and other purposes.

In the Senate, 19th October, 1779, read the first time and passed.

The several Letters, papers, &c., referred to in His Excellency the Governor's Message, of yesterday, addressed to the General Assembly, being laid over until to-day, the House proceeded to read, take under consideration the same, upon which

Resolved, that the same be sent to the Senate, with the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send you a Message from His Excellency the Governor, addressed to the General Assembly, together with the several Letters, &c., therein referred to.

Mr. John Johnston, one of the Members for Bertie County, appeared, was qualified and took his Seat.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen of the House of Commons:

We herewith send you the recommendation of the Court of Lincoln County, in favour of George Pee; also a Resolve of this House, in his favour, which we send for your Concurrence.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen of the Senate:

This House have received the Resolve of yours, Exempting George Pee, of Lincoln County, from the payment of Public Taxes, which we herewith return you, Concurred with.

Resolved, that William Babb and James Mosely, of Franklin County, be exempted from the payment of Poll Taxes; they being recommended by the Court of the said County as persons incapable of paying Taxes.

Ordered that the above Resolve be sent to the Senate for their Concurrence, with the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send, for your Concurrence, a Resolve of this House for exempting William Babb & James Moseley from the payment of Poll Taxes.

The Bill for annexing part of Burke County to Lincoln, and other purposes, was read the first time, passed and sent to the Senate.

The House Adjourned til 4 o'Clock P. M.

The House met according to Adjournment.

Mr. William Wynns, one of the Members for Hertford County; Mr. David Wilson, and Mr. Caleb Phifer, the Members for Mecklenburg County, appeared and took their seats.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen of the House of Commons:

Herewith you will receive, for your Concurrence, a Resolve of this House relative to a certain Thomas Espey, of Lincoln County.

At the same time received the Resolve of the Senate referred to in the above Message, and the same, being read, was concurred with.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen of the Senate:

We herewith return the Resolve of your House relative to a certain Thomas Espey, of Lincoln County, Concurred with.

Read the Petition of Mr. William Blount, of New Bern, Complaining of an undue Election for a Member of the said Town, in stead of Richard Cogdell, Esqr., whose seat was vacated by his acceptance of the appointment of Treasurer for the District of New Bern.

Ordered that the same be referred to the Committee of priviledges and Election.

Resolved, that a writ of Election issue to the County of Edgecombe, for Election of one member of this House, in the room and stead of Etheldred Exum, Esqr., Deceased. That the said Election be held on the fifteenth & sixteenth Days of November next.

Resolved, that John May, of Orange County; John Murphey, John Fugil and Robert Jones, of Wilkes County, be exempted from the payment of Poll Taxes, they being recommended by the respective Courts of the said Counties as proper persons to be exempted from the payment of Taxes.

Ordered that the above Resolve be sent to the Senate, for their Concurrence, with the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send, for your Concurrence, a Resolve of this

House, for exempting certain persons therein mentioned, from the payment of Poll Taxes.

Read the remonstrance of General William Skinner, in behalf of the Quakers, Moravians, Dunkers and Mennonists.

Ordered that the same be referred to a joint Committee.

That Mr. Person and Mr. Smith be a Committee, on the part of this House, for the purpose aforesaid.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen of the Senate:

We herewith send you the Remonstrance of General William Skinner, in Behalf of the Quakers, Moravians, Dunkers and Mennonists, which we propose referring to a joint Committee, and have, for that purpose, on our part, appointed Mr. Person, Mr. Bloodworth and Mr. Smith, a Committee.

Resolved, that a Committee be appointed to take under consideration the Departments of the Commissaries, Clothier General and Quarter Master, &c.

That Mr. Hooper, Mr. Jones, Mr. Person, Mr. Bloodworth, Mr. Horn and Mr. Smith, be a Committee for that purpose.

Received from the Senate the following Messages:

Mr. Speaker & Gentlemen of the House of Commons:

We herewith return the Resolves of your House for exempting certain persons from the payment of Taxes, Concurred with.

Mr. Speaker & Gentlemen of the House of Commons:

We herewith return the Resolve of your House in favour of William Babb and James Moseley, Concurred with.

At the same time received the Resolves of this House referred to in the above Messages, Concurred with.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen of the House of Commons:

We herewith send, for your Concurrence, a Resolve of this House Citing Archibald Gillespie to appear at the next Session of Assembly.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen of the Senate:

We herewith return the Resolve of your House Citing Archibald Gillespie to appear at the next Session of the Assembly, Concurred with.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen of the House of Commons:

We herewith send you the Petition of Abner Nash, Esquire, which we propose referring to a joint Committee, and have, for that purpose, on our part, appointed Messrs. Rutherford, Charlton, Coor and Martin.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen of the Senate:

We have received the Message of your House proposing to refer the Petition of Abner Nash, Esq., to a joint Committee, to which we agree, and have, for that purpose, on our part, appointed Mr. Starkey, Mr. McCrawley, Mr. Phifer, Mr. Montfort, Mr. Hawkins and Mr. Smith, a Committee, to act with the Gentlemen by you appointed.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen of the House of Commons:

We have received your Message, proposing that the Remonstrance of General William Skinner, in behalf of the Quakers, &c., be referred, to which we agree, and have, for that purpose, appointed Messrs. Seawell and Ramsay, a Committee.

Resolved, that the Regiment Raised agreeable to a Resolution of the General Assembly, passed at Halifax in January last, be disbanded from the service of this State.

Ordered that the above Resolve be sent to the Senate, with the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send, for your Concurrence, a Resolve of this House for disbanding the State Regiment.

Resolved, that Mr. Jones, Mr. Bloodworth, Mr. Person, Mr. Johnston and Mr. Starkey, be a Committee, to Act in Conjunction with such members of the Senate as may be appointed, to prepare

and bring in such Bills of a General and Public nature as are necessary to be passed into Laws this Session, and that no Bills be brought in after Monday next.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen of the Senate:

This House have appointed Mr. Jones, Mr. Bloodworth, Mr. Person, Mr. Johnston and Mr. Starkey, a Committee, on their part, to act jointly with such Gentlemen of the Senate as may be appointed, to prepare and bring in such Bills of a General and public nature as are necessary to be passed into Laws this Session, and have Resolved that no bills be brought in after Monday next, and desire your Concurrence.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen of the House of Commons:

Herewith you will receive the Resignations of Thomas Roberson, Colonel of Bladen County, and Samuel Smith, Colonel of Granville County.

Resolved, that John Penn, Thomas Burke and Whitmell Hill, Esquires, be requested to attend the Assembly on Friday next, to give information with respect to Matters which have come under the deliberation of Congress since January last, so far as they may interest this State, may be made public without prejudice to the Continent at large, and may consist with the Injunctions of secrecy which Congress may have imposed on the Delegates of the Respective States.

Ordered that the above Resolve be sent to the Senate, for their Concurrence, with the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send, for your Concurrence, a Resolve of this House, requesting John Penn, Thomas Burke and Whitmell Hill, Esquires, to attend on the Assembly on Monday next.

The House Adjourned til To-morrow Morning 9 o'Clock.

WEDNESDAY, 20th October, 1779.

The House met according to Adjournment.

The Sheriff of Dobbs County certified that William Caswell and Abraham Shepperd, Esqrs., were duly Elected as Members of the Commons House of Assembly, in the room & stead of Thomas Gray and Jesse Cobb, Esqrs., whose seats were vacated the last Session of this General Assembly.

Whereupon Abraham Shepperd, Esqr., appeared, was qualified and took his seat.

Mr. John Lutrell, one of the Members for Chatham County, and Mr. Thomas Younghusband, one of the Members for Currituck County, appeared and took their seats.

The House resumed the Consideration of the Letter from James Green, jun., Esqr., Treasurer of the Continental loan office, of the 7th Inst.; The Resolution of the General Assembly of the State of Virginia, and the Memorial of James Davis, Esquire, the public printer of this State; Whereupon,

Resolved, that they be referred to a joint Committee.

That Mr. Bloodworth, Mr. Person, Mr. Jones, Mr. Smith and Mr. Starkey, be a Committee, on the part of this House, for that purpose.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen of the Senate:

We herewith send you a Letter from James Green, jun., Esqr.; a Resolution of the General Assembly of the State of Virginia, and the Memorial of James Davis, Esqr., which we propose referring to a joint Committee, and have, for that purpose, on our part, appointed Mr. Bloodworth, Mr. Person, Mr. Jones, Mr. Smith and Mr. Starkey, a Committee.

Resolved, that Richard Hays, of Bertie County, be exempted from the payment of Poll Taxes, he having been represented as a proper person to be exempted.

Ordered that the above Resolve be sent to the Senate, for their Concurrence, with the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send, for your Concurrence, a Resolve of this House exempting Richard Hays from the payment of Poll Taxes.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen of the House of Commons:

Herewith you will receive the Resolve of your House for disbanding the State Regiment, Concurred with.

At the same time received the Resolve of this House, referred to in the above Message, Concurred with.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen of the House of Commons:

This House have appointed Messrs. Salter and Respass a Committee, who will act jointly with such Gentlemen as the House of Commons may appoint, to examine and receive from General William Skinner the Accounts, &c., between this and the United States, as Adjusted by him.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen of the Senate:

This House have appointed Mr. Jones, Mr. Person, Mr. Smith, Mr. Starkey, Mr. Hawkins and Mr. Johnston, as a Committee, on their part, to act jointly with the Committee appointed of the Senate, to examine and receive of General Skinner the Accounts, &c., between this and the United States.

This House have received information that the North Carolina Brigade of Continental Troops is on their March to the Southward.

Resolved, that the Speaker of the Senate and Commons write a Letter to the Continental Congress requesting that the March of that Brigade be countermanded, as the necessity which induced this State to ask their return no longer subsists, and that they also write to the Commanding Officer of the Brigade requesting him to halt his Men until the result of such application to the Congress be known, and that the express be directed to call upon the Commanding officer of the Brigade on his way to Congress.

Mr. Haywood objected against the House entering into the above Resolve, urging that it was more than probable they might be under the necessity of Drafting some of the Militia of this State to March to the Southward, which might be prevented, was not the March of the said Brigade Countermand. The question

was put, and carried in the affirmative, 38 to 19. Then, on motion of Mr. Haywood, Ordered that the Yeas and Nays be taken down on the said Question, which are as follows:

YEAS:

Messrs.	R. Smith.	Montfort.
	Trip.	Kennady.
	Gorham.	J. Williams.
	H. Bryan.	Blackstock.
	Bright.	J. Campbell.
	Boyd.	Spruill.
	Swain.	J. Campbell.
	M. Abernathy.	Hinton.
	B. Williams.	L. Bryan.
	Medlock.	McCrawley.
	Kimbrough.	Bloodworth.
	S. Williams.	Horn.
	Hooper.	Norwood.
	Isaacs.	Clarke.
	Baker.	Humphreys.
	Grandy.	Willis.
	J. Gillespie.	S. Miller.
	J. Johnston.	Wynns.
	Shepperd.	Luttrell.—38.

NAYS:

Messrs.	Peebles.	J. Hawkins.
	Macon.	Haywood.
	Starkey.	P. Hawkins.
	Clinton.	D. Gillespie.
	Person.	Tullock.
	Cain.	Brown.
	J. Vaughan.	Bynum.
	Sherrod.	Arnold.
	Shepperd.	Phifer.
	Wilson.—19.	

Ordered that the foregoing Resolve be sent to the Senate, for their Concurrence, with the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send, for your Concurrence, a Resolve of this House, requesting the Speakers of the Senate & Commons to write to the Continental Congress, requesting that the North Carolina Brigade, now on its March to the Southward, be countermanded, &c.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen of the House of Commons:

This House have received the Message of yours, proposing that the Resolution of the General Assembly of the State of Virginia, and the Letter from James Green, jun., Esqr, be referred to a joint Committee, to which we agree, and have, for that purpose, appointed Messrs. Nash and Charlton a Committee.

Mr. Speaker & Gentlemen of the House of Commons:

We herewith return the Resolve of your House for exempting Richard Hays from the payment of Poll Taxes, Concurred with.

Mr. Speaker & Gentlemen of the House of Commons:

We herewith return the Resolve of your House requesting John Penn, Thomas Burke and Whitmell Hill, Esqrs., to attend on Friday next, Concurred with by this House.

At the same time received the Resolves, referred to in the above Messages, Concurred with.

Received from the Senate the Bill to indemnify certain persons therein named, for putting to Death William Coyl and Lemuel Jones, and for beating James Harwell.

In the Senate, 20th October, 1779, read the first time and passed.

Ordered that the said Bill be read, the same was read the first time and passed.

Mr. Hawkins presented a Petition from a number of the Inhabitants of Tyrrell County, praying a Division thereof.

Mr. Hawkins moved for leave and presented a Bill agreeable to

the prayer of the said Petition, which he read in his place and Delivered in at the Table, where it was again read, passed and sent to the Senate.

Mr. Macon moved for leave and presented a Bill to lay off and establish a Town in Warren County, and other purposes, which he read in his place, and Delivered in at the Table, where it was again read, passed and sent to the Senate.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen of the House of Commons:

The Resolve of your House requesting the Honbl. the Speakers of the Assembly to write to Congress relative to the No. Carolina Brigade, now Marching to the Southward, you will herewith receive, concurred with.

At the same time received the Resolves of this House referred to in the above Message, Concurred with.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen of the House of Commons:

We herewith send, for your Concurrence, a Resolve of this House requesting the attendance of Mr. James Green, jun., on this Assembly.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen of the Senate:

We herewith return the Resolve of your House requesting the attendance of Mr. James Green, jun., on this Assembly, Concurred with.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen of the House of Commons:

We herewith send, for your Concurrence, a Resolve of this House exempting certain persons therein mentioned from paying Poll Taxes.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen of the Senate:

We herewith return the Resolve of your House exempting cer-

tain persons therein mentioned from paying Poll Taxes, concurred with.

Mr. Harget Presented a Petition from a number of the Inhabitants of Carteret County, praying that a part thereof be added to the County of Jones.

Mr. Harget moved for leave and presented a Bill agreeable to the prayer of the said Petition, which he read in his place, and delivered in at the Table, where it was again read, passed and send to the Senate.

Mr. Norwood moved for leave and presented a Bill to lay off and establish a Town in Franklin County, and for other purposes, which he read in his place, and delivered in at the Table, where it was again read, passed and sent to the Senate.

The House adjourned till To-morrow Morning 9 o'clock.

Thursday, 21st October, 1779.

The House met according to Adjournment.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen of the Senate:

This House have appointed Mr. Hooper, Mr. Jones, Mr. Person, Mr. Bloodworth, and Mr. Smith, a Committee, to act jointly with such Gentlemen of the Senate as may be appointed, to take under consideration the Departments of the Commissaries, Clothier General and Quarter Master.

Resolved, that Mr. John Luttrell be added to the Committee appointed to examine and receive the Accounts of General Skinner, &c.

Mr. Haywood, from the Committee of Privileges and Elections, Reported as follows:

Your Committee, to whom was referred the Petition of Mr. William Blount, beg leave to report: That upon examination of Depositions, produced by said Blount & Mr. Richard Spaight, they find that an election was held at New Bern on the 25th and 26th days of June, last, for Electing a Member to represent the

said Town of New Bern in General Assembly, that the Poll was opened about 10 o'Clock in the forenoon, that the Tickets were received and put into a Tin Cannister without a Top, and that the said Cannister at neither of the adjournments was sealed. That a certain David Thompson, a Soldier in the State Regiment, and a certain Richard O'Dowdy, offered their Tickets, which were refused by the Sheriff; the Ticket of the former, because he was a Soldier, and that of the latter, because he had removed from New Bern to avoid the Small Pox.

Your Committee further beg leave to report that it appears, by the Confession of the said Blount & Spaight, that many persons voted who had no right to do so.

Upon the whole, your Committee are of opinion that the Election was illegal and ought to be set aside.

All which is Humbly submitted.

W. Haywood, Chairman.

The House taking the said Report into consideration, Concurred therewith.

Read the Petition of Richard Franklin, praying, &c.

Ordered that the same be referred to a joint Committee.

That Mr. Bloodworth, Mr. Kennady, Mr. Gorham and Mr. Hawkins, be a Committee, on the part of this House, for the purpose aforesaid.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen of the Senate:

We herewith send you the Petition of Richard Flannikin, which we propose referring to a joint Committee, and have, for that purpose, on our part, appointed Mr. Bloodworth, Mr. Kennady, Mr. Hawkins and Mr. Gorham, a Committee.

Received from the Senate the Bill to lay off and Establish a Town in Warren County, and other purposes.

In the Senate 20th October, 1779.

Ordered that the said Bill be read the second time.

The same was read the second time, amended, passed and sent to the Senate.

Received from the Senate A Bill to lay off and Establish a Town in Franklin County, and for other purposes therein mentioned.

In the Senate 20th October, 1779, read the first time and passed.

Ordered the said Bill be read the second time.

The same was read the second time, amended, passed and sent to the Senate.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen of the House of Commons:

This House have appointed Messrs. Coor, Martin, Nash and Rutherford, a Committee, who will act jointly with such Gentlemen as the House of Commons may appoint, to bring in a Bill for amending the assessment Law, and a Bill for amending the act for carrying into Effect the Confiscation Law, so that the real Estates of such persons as may be particularly mentioned therein, may be sold and the Money arising therefrom paid into the Treasury of this State.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen of the Senate:

This House have appointed Mr. Starkey, Mr. Hooper, Mr. Bloodworth and Mr. Person, a Committee, to act jointly with the Gentlemen by you appointed, to bring in a Bill for amending the Assessment Act, &c.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen of the House of Commons:

We herewith send, for your Concurrence, a Resolve of this House for paying the Militia who guarded certain prisoners from South Carolina to Salisbury Gaol.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen of the Senate:

We herewith return the Resolve of your House for paying the Militia who guarded certain prisoners from South Carolina to Salisbury Gaol, Concurred with.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen of the House of Commons:

This House have appointed Colo. Martin, Colo. Ramsey and Mr. Nash, to act with the Gentlemen by you appointed, as a Committee to take under Consideration the Departments of the Commissary, Clothier General and Quarter Master.

Received from the Senate the Bill to amend an act for appointing Sheriffs and directing their duty in office, and for obliging the late Sheriffs & Collectors of Public Monies, who are in arrears, to account for and pay the same, and other purposes.

In the Senate 21st October, 1779, Read the first time and passed.

Ordered that the said Bill be read the first time.

The same was read the first time, passed and sent to the Senate.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen of the House of Commons:

We herewith send, for your Concurrence, a Resolve of this House respecting a Resolution of the Council of State, which directs Mr. Hawkins to lay out a large sum of Money for the use of this State, which we propose to rescind in part.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen of the Senate:

We herewith return the Resolve of your House respecting a Resolution of the Council of State, which directs Mr. Hawkins to lay out a large sum of Money for the use of this State, &c., concurred with.

Resolved, that the House will proceed to read, on Monday next, for the second time the Bill to indemnify certain persons therein named for putting to Death William Coyle & Lemuel Jones, and for beating James Harwell.

Resolved, that Mr. William Bennett be and he is hereby authorized & impowered to sell, at public vendue, for Ready Money, first giving Ten Days public notice, the Tender belonging to the General Washington Galley, together with her Tackle, apparel & furniture, and that he account with the Treasurer of the District of Edenton for the Monies arising from the sale thereof.

Ordered that the above Resolve be sent to the Senate, for their Concurrence, with the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send, for your Concurrence, a Resolve of this House impowering Mr. William Bennett to sell the Tender belonging to the General Washington Galley, &c.

Resolved, that Thomas Hampton, of Surry County, and William

Brown, of Wake County, be exempted from the payment of Poll Taxes, they being represented to this Assembly as persons incapable.

Ordered that the above Resolve be sent to the Senate, for their Concurrence, with the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send, for your Concurrence, a Resolve of this House for exempting certain persons therein mentioned from the payment of Poll Taxes.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen of the House of Commons:

This House have received the Message of yours appointing a Committee to take under Consideration the Petition of Richard Flannikin, and have, for that purpose, on their part, appointed Messrs. Coor and Irwin.

The House Adjourned til To-morrow Morning 9 o'Clock.

Friday, 22d October, 1779.

The House met according to Adjournment.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen of the House of Commons:

Herewith you will receive the Resolve of your House in favour of Thomas Hampton, of Surry County, and William Brown, of Wake County, Concurred with.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen of the House of Commons:

The Resolve of your House, impowering Mr. William Bennett to expose to Sale the Tender belonging to the General Washington Galley, you will herewith receive, Concurred with.

At the same time received the Resolves of this House referred to in the above Messages, Concurred with.

Read the Petition of Alexander Dickson, of Duplin County, praying a Divorce from Elisabeth his wife.

Mr. Bloodworth moved for leave and presented a Bill agrecable to the prayer of the said Petition, which he read in his place, and Delivered in at the Table where it was read again, passed and sent to the Senate.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen of the House of Commons:

This House propose, if agreeable to the House of Commons, that the Resolution of the General Assembly of the 19th October, Instant, requesting the Honbl. the Speaker to write to Congress to Countermand the March of the North Carolina Brigade, be rescinded.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen of the Senate:

This House concur with the Senate in rescinding the Resolution of the General Assembly of the 19th Instant requesting the Honbl. the Speakers of the Assembly to write to Congress requesting them to Countermand the March of the North Carolina Brigade, &c.

Resolved, that General Jones be requested to extend the paroll of John Lane, a prisoner in Halifax, to Wake County.

Ordered that the above Resolve be sent to the Senate, for their Concurrence, with the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send, for your Concurrence, a Resolve of this House requesting General Jones to extend the Paroll of John Lane, &c.

Mr. Walton moved for leave and presented a Bill to Establish and lay out a Town in Washington County, which he read in his place, and delivered in at the Table, where it was again read, passed and sent to the Senate.

Resolved, that Green Hill, Esqr., advance to William Blount, Esqr., paymaster, the sum of fifteen Thousand Pounds, in order to enable him to pay off the Militia of Halifax District, the said Blount to be accountable for the same.

Ordered that the above Resolve be sent to the Senate, for their Concurrence, with the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send, for your Concurrence, a Resolve of this House directing Green Hill, Esqr., to advance a Certain sum of Money to William Blount, Esqr., for the purpose therein mentioned.

Mr. Shepperd moved for leave and presented a Bill to amend an Act entitled an Act for dividing Guilford County into two distinct Counties, &c., which he read in his place, and delivered in at the Table, where it was again read, passed and sent to the Senate.

Mr. Kimbrough moved for leave and presented a Bill to amend an Act entitled an Act for appointing Commissioners to fix on a certain place, within the County of Montgomery, to build a Court House, prison & Stocks, and for other purposes therein mentioned, which he read in his place, and delivered in at the Table, where it was again read, passed and sent to the Senate.

Mr. Bloodworth moved for leave and presented a Bill to explain and regulate the recommendation of Justices of the peace in this State, which he read in his place, and Delivered in at the Table, where it was again read, passed and sent to the Senate.

The Bill to amend an Act for appointing Sheriffs and directing their Duty in office, and for obliging the late Sheriffs & Collectors of Public Monies, who are in arrears, to account for & pay the same, and other purposes, was read the second time, amended, passed and sent to the Senate.

Received from the Senate the following Message;

Mr. Speaker & Gentlemen of the House of Commons:

The Resolve of your House, requesting General Jones to extend the paroll of John Lane, we herewith return, concurred with by this House.

At the same time received the Resolve of this House referred to in the above Message, concurred with.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen of the House of Commons:

From the great number of Claims that are to be presented to the Committee of Claims this Session, it is probable they will not be able to receive and pass them before the end of the Session,

and as a great number of Members compose the Committee already appointed we propose to divide it and form two Committees, and have, for that purpose, appointed Mr. Frazier, Mr. Owen, Mr. Saunders and Mr. Irwin, on the part of this House.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen of the Senate:

This House concur with the Senate in dividing the Committee of Claims already appointed, and propose, on our part, that Mr. J. Campbell, Mr. Tullock, Mr. Harget, Mr. Macon, Mr. Winslow and Mr. Johnston, added by this House in the room of Mr. Boyd, who is excused from attending, to act with the Gentlemen mentioned in your Message proposing the division.

Resolved, that John Grear, of Wilkes County, have leave to resign his office of Justice of the peace.

Ordered that the above Resolve be sent to the Senate, for their concurrence, with the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send, for your Concurrence, a Resolve of this House permitting John Grear, Esqr., to resign the office of a Justice of the peace.

Read the Petition of Thomas Turner, praying, &c.

Ordered that the same be referred to a Committee.

That Mr. Macon, Mr. Person, Mr. Phifer, Mr. Brown, and Mr. P. Hawkins, be a Committee, for that purpose.

Read the Petition of Thomas Drummond, Luke Young, John Crain and Nathanial Perry, prisoners of War, praying to be permitted to take the Oath of Allegiance to this State and become Citizens thereof.

Ordered that the same be Rejected.

Ordered that Mr. Campbell be excused from attending the Committee of Claims, as a Member thereof, and Mr. Clinton added in his room.

Ordered that Mr. Horn, Mr. Jas. Hunter, Mr. Jacob Hunter and Mr. Phifer, be added to the Committee of Claims.

Read the Petition of a number of the Inhabitants on Tarr River, praying to have the same kept open.

Mr. Sherrod moved for leave to bring in a Bill agreeable to the prayer of the said Petition.

Ordered that he have leave accordingly.

Read the Petition of a number of the Inhabitants of Randolph County, settled on the River Uharie, praying to have the said River kept open, &c.

Mr. Arnold moved for leave to bring in a Bill agreeable to the prayer of the said Petition.

Ordered that he have leave accordingly.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen of the House of Commons:

Herewith you will receive a Resolve of this House exempting Samuel Elder from paying Poll Taxes, which we send for your Concurrence.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen of the Senate:

We herewith return the Resolve of your House exempting Samuel Elder from paying Poll Taxes, concurred with.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen of the House of Commons:

The Resolve of your House, directing Green Hill, Esqr., to advance a certain sum of Money to William Blount, Esqr., we return you, Concurred with.

At the same time received the Resolve of this House referred to in the above Message, concurred with.

Resolved, that Mr. Thomas Reading have leave to absent himself from the service of the House.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen of the House of Commons:

Col. Jarvies, of Currituck County, having represented to this House the Danger of the Invasion of the Enemy on the Inhabitants of the said County, has induced this House to enter into the order herewith sent you, for your Concurrence.

Ordered the following Message be sent to the Senate:

Mr. Speaker & Gentlemen of the Senate:

We herewith return the Resolve of your House impowering the Commissaries of Stores of Edenton District, or any other Commissary, to furnish Colo. Jarvies, of Currituck County, with Arms, Ammunition, &c., for the Defence of that County, Concurred with.

The Resolve of the House requesting the Delegates to attend thereon, this Day, being read, on the request of the Delegates, their attendance was postponed til To-morrow.

The House Adjourned til To-morrow Morning 9 O'Clock.

SATURDAY, 23rd October, 1779.

The House met according to Adjournment.

Mr. Hawkins moved for leave and presented a Bill to amend an Act Entitled an act for the Regulation of the Town of Hillsborough, in the County of Orange, which he read in his place, and delivered in at the Table, where it was again read, passed and sent to the Senate.

Read the Petition of Thomas Warff, of Edenton, praying to be permitted to take the Oath of Allegiance to this State & become a Citizen thereof.

Resolved, that the prayer of the said Petition be granted.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen of the Senate:

We herewith send, for your Concurrence, a Resolve of this House permitting Thomas Warff, of Edenton, to take the Oath of Allegiance to this State and become a Citizen thereof, agreeable to the prayer of his Petition.

Mr. Arnold, according to order, presented a Bill to prevent the stopping the Fish in the Uharie River, which he read in his place, and Delivered in at the Table, where it was again read, passed and sent to the Senate.

Read the Petition of Adam Tate, praying to be admitted a Citizen of the State.

Resolved, that the same be referred to the joint Committee appointed to take under consideration the Petition of Abner Nash, Esqr.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen of the Senate:

We herewith send you the Petition of Adam Tate, praying to be admitted a Citizen of this State, which we propose referring to the Committee appointed to take under Consideration the Petition of Abner Nash, Esqr.

Mr. Miller presented a Petition from a number of the Inhabitants of Anson County, praying a Division thereof.

Mr. Miller moved for leave and presented a Bill agreeable to the prayer of the said Petition, which he read in his place, and delivered in at the Table, where it was again read, passed and sent to the Senate.

Mr. Horn moved for leave and presented a Bill to amend an Act entitled an Act for ascertaining what property in this State shall be deemed Taxable property, the method of assessing the same, and Collecting the Public Taxes, and other purposes, which he read in his place, and delivered in at the Table, where it was again read, passed and sent to the Senate.

Mr. Person moved for leave and presented a Bill to amend an Act entitled an Act to regulate and establish a Militia in this State, which he read in his place, and delivered in at the Table, where it was again read, passed and sent to the Senate.

Mr. Person moved for leave and presented a Bill for establishing the Salaries of the Judges of the Superior Courts, Attorney General, and for other purposes, which he read in his place, and Delivered in at the Table, where it was again read, passed and sent to the Senate.

Mr. Clinton presented a Petition from a number of the Inhabitants of Duplin County, praying a division thereof.

Mr. Clinton moved for leave and presented a Bill agreeable to the prayer of the said Petition, which he read in his place, and delivered in at the Table, where it was again read, passed and sent to the Senate.

Mr. Hancock, one of the Members for Hyde county, and Mr. Peter Farrow, one of the Members for Caswell County, appeared and took their Seats.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen of the House of Commons:

We herewith return the Resolve of your House permitting John Grear, Esqr., to resign the office of a justice of the peace, Concurred with.

At the same time received the Resolve of this House referred to in the above Message, concurred with.

Resolved, that all Waggons and carts in the Continental service shall be under the same pay and Regulation, from the 15 Day of May last, as those in the Militia service, and that Nicholas Long, Esqr., Deputy Quarter Master General, be and he is hereby directed to pay the same.

Resolved, that he be directed to pay all expences incurred by Waggons, Carts, Horses, &c., in the Continental service, passing through the State.

Ordered that the above Resolve be sent to the Senate, with the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send, for your Concurrence, a Resolve of this House for allowing Continental Waggons the same pay as those in the Militia service; for directing Colo. Long, Deputy Quarter Master General, to pay the same.

Resolved, that Michal Woods have leave to resign the office of a justice of the Peace for Wilkes County.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen of the Senate:

We herewith send, for your Concurrence, a Resolve of this House permitting Michal Woods to resign the office of justice of the peace.

The Bill to invest the property of a Bridge, lately built by Samuel Ruffin, Deceased, over great Contentney Creek, in Etheldred Ruffin, his Heirs or assigns, for —— years, was read the first time, passed and sent to the Senate.

Mr. Bloodworth presented a Petition from a number of the Inhabitants of New Hanover, Bladen and Duplin Counties, praying to have a new County erected by taking part of each of the said Counties, which was rejected.

The Bill for establishing a Court of Chancery within the State of North Carolina, and to regulate the Manner of proceeding therein, was read the first time, passed and sent to the Senate.

Resolved, that Mr. William Baker have leave to absent himself from the service of this House.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen of the House of Commons:

We herewith return the Resolve of your House allowing the same pay to Continental waggons as to those in the Militia service, Concurred with.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen of the House of Commons:

You will herewith receive, for your Concurrence, a Resolve of this House directing the attendance of the Treasurer of New Bern District.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen of the Senate:

We herewith return the Resolve of your, House directing the attendance of the Treasurer of New Bern District, Concurred with.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen of the House of Commons:

This House have appointed Messrs. Coor, Nash, Martin, Davis & Rutherford, a Committee, who will act in Conjunction with such Gentlemen as the House of Commons may appoint, to prepare and bring in a Bill to appoint certain persons to State accounts against all those that have been entrusted with Public Monies since the Commencement of this War, and to lay the same before the next Assembly.

Resolved, that Mr. Bloodworth, Mr. Starkey, Mr. Jones, Mr. Horn and Mr. Person, be a Committee, on the part of this House, for the purpose aforesaid.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen of the Senate:

This House have appointed Mr. Bloodworth, Mr. Starkey, Mr.

Jones, Mr. Horn and Mr. Person, a Committee, to act in Conjunction with the Gentlemen by you appointed, to prepare and bring in a Bill to appoint certain persons to State accounts against all those who have been intrusted with Public Monies, &c.

Mr. Johnston moved for leave and presented a Bill for Erecting a Town, on the Lands of Thomas Hunter, at Squhawkey, in Martin County, which he read in his place, and delivered in at the Table, where it was again read, passed and sent to the Senate.

The Bill to amend an Act entitled an Act for dividing Guilford County into two distinct Counties, &c., was read the second time, passed and sent to the Senate.

The Bill to Establish and lay out a Town in Washington County, was read the second time, passed and sent to the Senate.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen of the House of Commons:

This House Concur with you in referring the Petition of Adam Tate to the Committee appointed to take under consideration the Petition of Abner Nash, Esqr.

The House Adjourned till Monday Morning 9 O'Clock.

MONDAY, 25th October, 1779.

The House met according to Adjournment.

Mr. Matthew Locke, one of the Members for Rowan County, appeared, was qualified and took his Seat.

Resolved, that Mr. Person, Mr. Starkey, Mr. Locke and Mr. Hooper, be a Committee, on the part of this House, to act jointly with such Gentlemen of the Senate as may be appointed, to confer with the Delegates on an adequate Salary, &c.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen of the Senate:

This House have appointed Mr. Person, Mr. Starkey, Mr. Locke and Mr. Hooper, a Committee, on their part, to act jointly with such Gentlemen of the Senate as may be appointed, to confer with the Delegates on an adequate Salary for their services, and to report in what manner it shall be paid them.

Mr. Hooper moved for leave and presented a Bill to amend an Act entitled an Act to encourage Benjamin Heron, Esqr., to build a Bridge over the North east branch of Cape Fear River, at or near the place where the ferry is now kept by Edward Davis, which he read in his place, and delivered in at the Table, where it was again read, passed and sent to the Senate.

Resolved, that Nicholas Long, Esqr., Deputy Quarter Master General, be requested to advance to John Matthews an express to South Carolina, three Hundred Dollars, and to notify the same to His Excellency the Governor of this State, to prevent a further sum's being advanced him, unless it may appear absolutely necessary.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen of the Senate:

We herewith send, for your Concurrence, a Resolve of this House requesting Nicholas Long, Esqr., to advance a certain sum of Money to John Matthews, an express to South Carolina.

Mr. Campbell moved for leave and presented a Bill to prevent Hunting in the woods in the night time with Gun & firelight, and other purposes therein mentioned, which he read in his place, and delivered in at the Table, where it was again read, passed and sent to the Senate.

Mr. Starkey moved for leave and presented a Bill for Erecting part of Carteret & Onslow Counties into a new County by the name of ———, and for other purposes, which he read in his place, and delivered in at the Table, where it was again read, passed and sent to the Senate.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen of the House of Commons:

We herewith return the Resolve of your House permitting Michal Woods to resign the office of a justice of the Peace, Concurred with.

At the same time received the Resolve of this House referred to in the above Message, concurred with.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen of the House of Commons:

We herewith send, for your Concurrence, a Resolve of this

House requesting the Speakers to receive and open several Dispatches from Congress to His Excellency the Governor, as this House suggest they are necessary to be laid before this Assembly.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen of the Senate:

We herewith return the Resolve of your House requesting the Speakers to receive and open certain Dispatches from Congress to His Excellency the Governor, Concurred with.

Mr. Jones moved for leave and presented a Bill for furnishing persons concerned in any of the several species of Counterfeiting in this State, which he read in his place, and Delivered in at the Table, where it was read, again read, passed and sent to the Senate.

Mr. Jones moved for leave and presented a Bill for Establishing Fairs, at Halifax Town & Edenton, which he read in his place, and Delivered in at the Table, where it was read again, passed and sent to the Senate.

Mr. Person moved for leave and presented a Bill for the more effectually preventing Engrossers and forestalling, for the encouragement of Commerce and the fair Traders, and for other purposes therein mentioned, which he read in his place, and delivered in at the Table, where it was again read, passed and sent to the Senate.

Read the Petition of John Kirkwood, praying, &c.

Resolved, that the same be referred to a Committee. That Mr. Brown, Mr. Bloodworth and Mr. Person, be a Committee for that purpose.

Mr. Hooper presented a Petition from the Executors of the last will & Testament of Richard Quince, late of New Hanover County, Esqr., Deceased, praying that an act of Assembly be passed impowering them, the said Executors, to sell the real and personal Estate of the said Deceased for the Benefit of Jean & Ann, the Legatees.

Mr. Hooper presented a Bill agreeable to the prayer of the said Petition, which he read in his place, and delivered in at the Table, where it was again read, passed and sent to the Senate.

Mr. Johnston moved for leave & presented a Bill for Docking the Intails of a certain Tract of Land therein mentioned, which he read in his place, and delivered in at the Table, where it was read again, passed and sent to the Senate.

Mr. Sherrod presented a Bill to prevent persons from stopping the passages of Fish up the Tar River & great Fishing Creek, which he read in his place, and delivered in at the Table, where it was again read, passed and sent to the Senate.

Mr. Howard, one of the Members for Onslow County; Mr. Morrison, one of the Members for Burke County, appeared and took their seats.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen of the House of Commons:

We herewith return the Resolve of your House impowering Colo. Long to advance a certain sum of Money to John Matthews, concurred with.

At the same time received the resolve of this House referred to in the above Message, Concurred with.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen of the House of Commons:

This House have appointed Colo. Martin and Mr. Nash, to act with the Gentlemen by you appointed to confer with the Delegates on the Salary necessary to be allowed them for their services.

Mr. Hooper moved for leave and presented a Bill to amend an Act for ascertaining what property in this State shall be deemed Taxable property, the method of assessing the same, and collecting the Public Taxes, and other purposes, which he read in his place, and delivered in at the Table, where it was again read, passed and sent to the Senate.

Mr. Hooper moved for leave and presented a Bill for directing the method of appointing Jurors, in all Causes civil and Criminal, which he read in his place, and delivered in at the Table, where it was again read, passed and sent to the Senate.

The Bill to amend an act Entitled an Act for the Regulation of the Town of Hillsborough, was read the second time, amended, passed and sent to the Senate.

Read the Petition of Matthew Collins, praying, &c., and the same was Ordered to lie on the Table for consideration.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen of the Senate:

This House propose, if agreeable to the Senate, to Ballot, at 4

O'Clock this afternoon, for two Delegates in the room of Whitmell Hill & Thomas Burke, Esquires, whose time is about to expire, and one in the room of Joseph Hewes, Esqr., resigned; an Attorney General; two Councillors, in the room of Colo. Respass and Colo. Sampson, who refuse to act, and a Treasurer, for the District of Hillsborough; and put in nomination for Delegates, Whitmell Hill, Thomas Burke, John Kinchen, Philemon Hawkins, jun., Edward Starkey and Ephraim Brevard, Esqrs.; for an Attorney General, James Iredell, Esqr.; for Councillors, Waightstill Avery, Nathan Bryan and John Lillington, Esqrs.; for a Treasurer, John Taylor & Nathaniel Rochester, Esqr.

If you accede to this measure you'l signify the same by Message.

Mr. Johnston moved for leave to prepare and bring in a Bill for prolonging the time limited by Law for securing the Lots in the Towns of Windsor and Winton, and for other purposes therein mentioned.

Ordered that he have leave accordingly.

Mr. Johnston moved for leave to prepare and bring in a Bill for giving the Inhabitants of this State a further time to acknowledge or prove their Deeds and Mesne conveyances, and other purposes therein mentioned.

Ordered that he have leave accordingly.

The Bill to indemnify certain persons therein named for putting to Death William Coyle and Lemuel Jones, and for beating James Harwell, was read the second time and rejected.

Resolved, that Mr. Speaker give the thanks of this House to the Honbl. Whitmell Hill and Thomas Burke, Esqrs., for their able, faithful and diligent and public spirited services, as Delegates from this State in the Continental Congress.

The Gentlemen being present, Mr. Speaker gave the thanks of the House as follows:

Mr. Hill, Mr. Burke:

GENTLEMEN:—

In all human probability, that day is not at a great distance which will give to these United States, peace and happiness, and Independence amongst the first powers of the Earth, and acknowledged even by the haughty Empire of Britain itself. This event,

brought about in the midst of manifold difficulties and dangers, is to be ascribed, under Heaven, to the wisdom of our Councils in the Grand Congress of America; in those, Gentlemen, you have borne an important share, and with unremitting diligence have watched over the general interest of the State at large, as well as of the grateful Thousands who this day, through me, unite to honor you, their Fellow Citizens, with their acknowledgements. And I do, in obedience to the Commands of the House of Commons of this State, in their name and in behalf of them and those whom they represent, give you their thanks for the integrity, wisdom and perseverance with which you have discharged the sacred trust reposed in you.

It is with singular pleasure that I acquit myself of this order of the House, in which my wishes warmly conspire with my duty to bear Testimony to such distinguished worth.

To which Mr. Burke returned the following Answer:

Mr. Speaker:—

Conscious, only, of having discharged the trust reposed in us with fidelity, but with abilities far unequal to its Importance, we arrogate not, to ourselves, superior merit; and we cannot but consider this distinguished and unlooked for Testimonial of our Country's approbation, as flowing from the generous gratitude of this honorable and virtuous House, and not as due to citizens, who, tho' they exerted their Talents to the utmost, could do no more than their Duty. Happy in being the citizens of a free State, and in being thought by our Country worthy of a Trust so sacred and important as that with which we were invested, we should have been content with the reflection, that we had used our best endeavours for perfecting the great and generous purpose of our common Country, the rooting out of Tyranny and planting in its room the palm of Freedom, under whose shade the present race and nations yet unborn might enjoy the blessings of equal Liberty. But this Honourable proof, of the approbation of our Country, fills us with an honest and most pleasing Triumph, we hope entirely unmixed with self-weening arrogance.

We congratulate you, Sir, and thro' you our Country, on the glorious prospects that are opening fast upon us, and which we

hope will be secured by the still requisite Efforts of the States in Co-operation with Congress.

Permit us, Sir, to offer our most grateful acknowledgements to you, for the singular honor you have done us by the polite and respectful manner in which you have discharged that part of your high office which related to us, and in which you have communicated to us the thanks of this honorable house, to whom we are unable to express our gratitude.

WHITMELL HILL.
THOMAS BURKE.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen of the House of Commons:

This House have received the Message of yours, proposing that the General Assembly proceed to ballot for the public officers therein mentioned, and agree thereto, and put in nomination for Councillors of State, Thomas Gray and Furnifold Green, Esquires, and for the other officers, the same persons nominated by the Commons.

We have appointed Messrs. Coor and Exum to superintend the Balloting.

The House Adjourned til 4 O'Clock P. M.

The House met according to Adjournment.

Resolved, that Colo. Hawkins and Mr. Bloodworth be appointed, on the part of this House, to superintend the Balloting.

The Bill to amend an Act for appointing Sheriffs, and directing their duty in office, and for obliging the late Sheriffs and Collectors of Public Monies, who are in arrears, to account for and pay the same, and other purposes, was read the third time, amended by consent of both Houses, passed and ordered to be Engrossed.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen of the House of Commons:

This House, on more mature Deliberation, propose, if agreeable

to the House of Commons, to postpone the Balloting for the several public officers mentioned in their Message of this Day until To-morrow at 4 o'Clock in the afternoon. If your House agree thereto, you will signify the same by Message.

We also put in nomination Allen Jones, Esqr., as a Continental Delegate; and the Towns of New Bern, Hillsborough and Halifax, for holding the next Assembly at.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen of the Senate:

This House have received the Message of yours, proposing to postpone Balloting for the several public officers until To-morrow, to which we cannot agree, as we think it will take up the greatest part of another Day, but agree to postpone it til 5 o'Clock, and hope the Senate will reconsider their Message and agree on that time.

We put in nomination the Towns of New Bern and Hillsborough, for holding the next Assembly at.

Mr. Bloodworth informed the House that, according to the order thereof, he had attended the balloting for the several public officers, &c., and was ready to report the result thereof to the House.

Resolved, that the same lie over until To-morrow.

The House Adjourned til To-morrow Morning 9 O'Clock.

Tuesday, 26th October, 1779.

The House met according to Adjournment.

Mr. Bloodworth, who was appointed, on the part of this House, to superintend the Balloting for the several officers, Reported as follows:

That, by a Majority of the votes of both Houses, Whitmell Hill, Thomas Burke and Allen Jones, Esqrs., were Elected Delegates; Waightstill Avery, Esquire, a Councillor; James Iredell, Esqr., Attorney General; Nathaniel Rochester, Esqr., Treasurer; and that the next Assembly is to be held at New Bern.

That Mr. Gray and Mr. Bryan had the next greatest number of votes for Councillors, but neither of them a Majority of the two Houses, and recommended to the House to Ballot again for one Councillor.

The House taking the said Report into Consideration, Concurred therewith, except the appointment of Nathaniel Rochester, Esqr., whose Election to the office of Treasurer is illegal, owing to his holding the Clerkship of Orange County Court.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen of the Senate:

This House propose, if agreeable to the Senate, to ballot on Saturday, at 4 o'Clock in the afternoon, for one Councillor, and a Treasurer for the District of Hillsborough, in the room of Nathaniel Rochester, Esquire, whose Election this House have determined illegal, owing to his holding the Clerkship of Orange County.

Colo. Shepperd presented a Petition from a number of the Inhabitants of Dobbs County, praying a Division thereof.

Mr. Shepperd moved for leave and presented a Bill agreeable to the prayer of the said Petition, which he read in his place, and delivered in at the Table, where it was again read, passed and sent to the Senate.

The Bill to amend an act entitled an Act for appointing Commissioners to fix on a certain place within the County of Montgomery to build a Court House, prison and Stocks, and for other purposes therein mentioned, was read the second time, amended, passed and sent to the Senate.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen of the House of Commons:

We herewith send you the Report of the Committee of both Houses, appointed to consider the petition of Abner Nash, Esquire, concurred with by this House.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen of the Senate:

We herewith return the Report of the Committee, appointed to consider the Petition of Abner Nash, Esqr., Concurred with by this House.

Resolved, that His Excellency the Governor be requested to grant a Pardon to Charles Shearing, a Criminal under Sentence of Death in Hillsborough Gaol, the said Shearing having been represented to this House as a person descending from a reputable Family.

Ordered that the above Resolve be sent to the Senate, for their Concurrence, with the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send, for your Concurrence, a Resolve of this House requesting His Excellency the Governor to grant a Pardon to Charles Shearing, a Criminal in Hillsborough Gaol.

The Bill to invest the property of a Bridge lately built by Samuel Ruffin, Deceased, in Etheldred Ruffin, his Heirs or assigns, for Twenty years, was read the second time, amended passed and sent to the Senate.

Read the Petition of a number of the Inhabitants of Caswell County, praying a Division thereof, and the same was Rejected.

The Bill to amend an Act entitled an Act for the regulation of the Town of Hillsborough, was read the third time, passed and sent to the Senate.

The Bill to invest the Titles of certain Land therein mentioned in Abner Nash, Esquire, was read the first time, passed and sent to the Senate.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen of the House of Commons:

We herewith send, for your Concurrence, a Resolve of this House allowing Benjamin Duberry a certain sum therein mentioned, for pursuing and apprehending Counterfeiters.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen of the Senate:

We herewith return the Resolve of your House allowing Benjamin Duberry a certain sum therein mentioned, concurred with.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen of the House of Commons:

We herewith send you the Petition of Thomas Burke, Esquire,

which we propose referring to the Committee who were appointed to consider of the Petition of Abner Nash, Esquire.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen of the Senate:

We have received the Message of your House proposing to refer the Petition of Thomas Burke, Esqr., to the Committee appointed to consider the Petition of Abner Nash, Esqr., to which we agree.

The Bill to lay off and establish a Town in Franklin County, and for other purposes therein mentioned, was read the third time, passed and sent to the Senate.

Mr. James Campbell moved for leave to present a Bill to prevent persons from Injuring the Inland Navigation of Rivers, Creeks and Water Courses, in this State, in the Counties therein mentioned, which he read in his place, and delivered in at the Table, where it was read again, passed and sent to the Senate.

Mr. Johnston, According to order, presented a Bill giving the Inhabitants of this State a further time for proving and registering their Deeds and Mesne Conveyances, which he read in his place, and delivered in at the Table, where it was again read, passed and sent to the Senate.

Mr. Blackstock moved for leave and presented a Bill to establish a Road from James McDaniel's, in Pasquotank County, to the Widow White's, in Perquimans County, and granting a Toll on the same, which he read in his place, and delivered in at the Table, where it was again read, passed and sent to the Senate.

The Bill for Erecting a Town on the Land of Thomas Hunter, at Squhawky, in Martin County, was read the second time, amended, passed and sent to the Senate.

The Bill for securing the rights of such persons in the County of Washington as lie between the River Holstein and the dividing line lately run by the Commissioners of this State and the State of Virginia, as the dividing line between the said States, and for dividing the said County of Washington into two distinct Counties, and for other purposes, was read the first time, passed and sent to the Senate.

The Bill for Docking the Intails of all Lands, Tenements & Hereditaments, within this State, and for other purposes, was read the first time, passed and sent to the Senate.

The Bill to amend an Act Entitled an Act to amend the Staple of Tobacco was read the first time, passed and sent to the Senate.

Mr. Samuel Smithwick, one of the Members for Martin County, appeared and took his Seat.

Resolved, that the Delegates appointed to represent this State in the Continental Congress shall be reimbursed their expences going to, returning from and attending at Congress; and shall receive such other compensation as the next Assembly shall think reasonable for their trouble and the disadvantages arising from the neglect of their own private business.

Ordered that the above Resolve be sent to the Senate, with the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send, for your Concurrence, a Resolve of this House for allowing the Delegates their expences while at Congress, &c.

The Bill for laying a Tax to defray the expence of the public Buildings in the County of Nash, was read the first time, passed and sent to the Senate.

The Bill to amend an Act Entitled an Act concerning Servants & Slaves, was read the first time, passed and sent to the Senate.

The Bill to amend an Act entitled an Act for establishing offices for receiving entries of Claims for lands in the several Counties within this State, for ascertaining the method of obtaining titles to the same, and for other purposes therein mentioned, and also to amend one other Act Entitled an Act to amend an Act for establishing offices for receiving Entries of Claims for Lands in the several Counties within this State, for ascertaining the method of obtaining Titles to the same, and for other purposes, was read the first time, passed and sent to the Senate.

Read the Memorial of Thomas Benbury, Esqr., in behalf of Thomas Oldham, late of Chowan County.

Resolved, that the same be referred to the Committee appointed to take under Consideration the Petition of Abner Nash, Esqr.

Read the Petition of Jonathan Allen, praying, &c.

Resolved, that the same be referred to the Committee appointed to take under consideration the Petition of Abner Nash, Esqr.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen of the Senate:

We herewith send you the Memorial of Thomas Benbury, in behalf of Thomas Oldham, late of Chowan County, and the Petition of Jonathan Allen, both of which we propose referring to the Committee appointed to take under consideration the Petition of Abner Nash, Esqr.

Resolved, that Mr. Hooper have leave to absent himself from the service of this House after To-morrow.

Resolved, that Mr. Sherrod have leave to absent himself from the service of the House.

The Bill to confirm the Titles of Lands to sundry the Inhabitants of Duplin County, was read the first time, passed and sent to the Senate.

Resolved, that Mr. William Bennett have leave to resign the appointment of Contractor for the District of Edenton, and that William Gardner be appointed to take care of the provisions, &c., already purchased by Mr. Bennett.

Ordered that the above Resolve be sent to the Senate, for their Concurrence, with the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send, for your Concurrence, a Resolve of this House permitting Mr. William Bennett to resign the appointment of Contractor, and appointing William Gardner to take care of the provisions purchased by Mr. Bennett.

The House Adjourned til To-morrow Morning 9 O'Clock.

Wednesday, 27th October, 1779.

The House met according to Adjournment.

Received from the Senate the following Messages:

Mr. Speaker & Gentlemen of the House of Commons:

This House have received the Message of yours for Balloting on Saturday next for a Councillor, & Treasurer of Hillsborough District, and concur therewith.

Mr. Speaker & Gentlemen of the House of Commons:

We herewith return you the Resolve of your House allowing the Delegates their expenses while at Congress, Concurred with.

The Bill to invest the property of a Bridge lately built by Samuel Ruffin, deceased, over great Contentney Creek, in Etheldred Ruffin, his Heirs or Assigns, for Twenty years, was read the third time, passed and ordered to be Engrossed.

Mr. Bloodworth moved for leave and presented a Bill to impower the Commissioners therein mentioned to purchase a Lot in the Town of Wilmington, for the District of Wilmington, and other purposes, which he read in his place, and delivered in at the Table, where it was again read, passed and sent to the Senate.

Mr. Johnston, according to order, presented a Bill for prolonging the time for saving Lots in the Towns of Windsor and Winton, which he read in his place, and delivered in at the Table, where it was again read, passed and sent to the Senate.

The Bill to lay off and establish a Town in Warren County, and other purposes, was read the third time, passed and sent to the Senate.

The Bill for dividing Tyrrell into two Distinct Counties, and for other purposes therein mentioned, was read the second time and Rejected.

The Bill to prevent persons from stopping the passage of Fish up Tar River and Dan River, was read the second time, amended, passed and sent to the Senate.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen of the House of Commons:

This House have received the Message of yours proposing to refer the Memorial of Thomas Benbury, Esqr., in behalf of Thomas Oldham, and the Petition of Jonathan Allen, to the Committee appointed to take under Consideration the Petition of Abner Nash, Esqr.

This House have rejected the memorial of Thomas Benbury, Esqr., but agree to refer the Petition of Jonathan Allen to the consideration of said Committee.

The Bill for granting a free Pardon to Charles Shearing, now under sentence of Death, was read the first time, passed and sent to the Senate.

Mr. Brown moved for leave and presented a Bill for building a Court House in Elizabeth Town, in the County of Bladen, and other purposes, which he read in his place, and delivered in at the Table, where it was read again, passed and sent to the Senate.

Mr. Brown moved for leave and presented a Bill to amend an Act entitled an Act to an additional Act Concerning Servants & Slaves, passed at New Bern in the year one Thousand seven hundred & fifty three, and other purposes therein mentioned, which he read in his place, and delivered in at the Table, where it was again read, passed and sent to the Senate.

The Bill to establish the seat of Government for the State of North Carolina, and for other purposes therein mentioned, was read the first time, passed and sent to the Senate.

Mr. Bloodworth moved for leave and presented a Bill for laying a Tax of 2½ per cent. upon all goods, wares and Merchandize exposed to Public Sale, and for regulating public Auctions, which he read in his place, and delivered in at the Table, where it was again read, passed and sent to the Senate.

The Bill for dividing the District of Salisbury, and for other purposes therein mentioned, was read the second time and Rejected.

The Bill for granting a free pardon to Charles Shearing, now under Sentence of Death, was read the second time, passed and sent to the Senate.

The Bill to prevent the stopping the Fish in the Uharie River, was read the second time, amended, passed and sent to the Senate.

The Bill for establishing Fairs in Halifax Town and Edenton, was read the second time, amended, passed and sent to the Senate.

The Bill for establishing the Salaries of the Judges of the Superior Courts, and of the Attorney General, and for other purposes, was read the second time, passed and sent to the Senate.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen of the House of Commons:

This House have received the Report of the Committee of Claims, allowing Major John Armstrong four Hundred and twenty-nine pounds seventeen Shillings; also to Mr. Thomas Stewart, Eight Hundred pounds, which this House have concurred with.

Mr. Tullock moved for leave and presented a Bill to enlarge the

Jurisdiction of Magistrates, which he read in his place, and Delivered in at the Table, where it was read again, passed and sent to the Senate.

The Bill for annexing part of Carteret County to Jones, and other purposes, was read the second time, passed and sent to the Senate.

Resolved, that William Tisdale, Esqr., be allowed the sum of one hundred and fifty pounds, for making the great Seal of this State; that the Treasurers, or any one of them, pay him the same and be allowed.

Ordered that the above Resolve be sent to the Senate, for their Concurrence, with the following Message;

Mr. Speaker & Gentlemen of the Senate:

We herewith send, for your Concurrence, a Resolve of this House allowing William Tisdale, Esqr., the sum of one hundred & fifty pounds, for making the great Seal of this State.

The Bill for directing the method of appointing Jurors in all causes, Civil and Criminal, was read the second time, amended, passed and sent to the Senate.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen of the House of Commons:

You will herewith receive, for your Concurrence, a Resolve of this House allowing William Flewelling a certain sum, for the use of his waggon and Team.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen of the Senate:

We herewith return the Resolve of your House allowing William Flewelling a certain sum, for the use of his waggon and Team, Concurred with.

Resolved, that the Bill for granting a free pardon to Charles Shearing, now under Sentence of Death, be read To-morrow Morning for the third and last time.

The House Adjourned til 4 O'Clock P. M.

The House met according to Adjournment.

Mr. Bloodworth moved for leave and presented a Bill directing the Sale of the Estate of John Roberson, deceased, and for other purposes therein mentioned.

Mr. Norwood moved for leave and presented a Bill to enable John Norwood, surviving Executor of the last Will and Testament of Henry Bradley, Deceased, to sell and convey the Lands of the said Deceased, which he read in his place, and Delivered in at the Table, where it was again read, passed and sent to the Senate.

Mr. Person moved for leave and presented a Bill for Establishing an Academy in the County of Granville, and for appointing Trustees, and for other purposes, which he read in his place, and delivered in at the Table, where it was again read, passed and sent to the Senate.

The Bill for establishing a Town in Lincoln County, on the Land of Valentine Mauney, was read the first time, passed and sent to the Senate.

Resolved, that the Bill for establishing a Court of Chancery within the State of North Carolina, and to regulate the manner of proceeding therein, be read the second time To-morrow.

Mr. Lutrell moved for leave and presented a Bill for Docking the Intail of a certain Tract of Land in Tyrrell County, which he read in his place, and delivered in at the Table, where it was again read, passed and sent to the Senate.

The Bill for punishing persons concerned in any of the several species of Counterfeiting in this State, was read the second time, amended, passed and sent to the Senate.

The House Adjourned til To-morrow Morning 9 O'Clock.

THURSDAY, 28th October, 1779.

The House met according to Adjournment.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen of the House of Commons:

This House have appointed Colo. Martin, Mr. Coor, Mr. Davis and Colo. Irwin, to act with such Gentlemen as the House of

Commons may appoint, to take under consideration the requisition of Congress for a sum of Money from this State, and to devise ways and means to Collect the public Monies now in the hands of Individuals, and to consider of the Tax necessary to be laid for the ensuing year.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen of the Senate:

This House have received the Message of yours appointing a Committee, to act with such of this House as might be appointed, to take under Consideration the requisition of Congress for a sum of Money from this State, and to devise ways and means to raise the same, also to devise ways and means to collect the public Monies now in the hands of Individuals, and have, for that purpose, on our part, appointed Mr. Locke, Mr. Starkey, Mr. Person, Mr. Wilson, Mr. Howard, Mr. Brown and Colo. Hawkins, a Committee.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen of the Senate:

From the vast number of Claims that are likely to be presented to the Committee of Claims we are apprehensive that the Committee will not have time during the present Session to examine and allow them. We therefore propose that Mr. Tullock, Mr. Clinton and Mr. Jacob Hunter, from the present Committees, and Mr. Grandy, Mr. Cain, Mr. Norwood, Mr. Lutrell, Mr. Montford and Mr. Isaacs, with such of your members as you may think proper to appoint, shall Constitute another Committee of Claims.

Mr. Hooper moved for leave and presented a Bill to amend an act entitled an act for establishing an Academy in the Town of Hillsborough, which he read in his place, and Delivered in at the Table, where it was again read, passed and sent to the Senate.

Mr. Tullock moved for leave and presented a Bill to prevent Distilling Grain into Spirituous Liquors, which he read in his place and Delivered in at the Table, where it was again read, passed and sent to the Senate.

The order of the Day for reading for the second time the Bill for establishing a Court of Chancery within the State of North Carolina, and to regulate the manner of proceeding therein, being called for and read,

Ordered that the said Bill be read the second time; the same was read the second time and rejected.

The Bill for the Division of Dobbs County, and other purposes therein mentioned, was read the second time, amended, passed and sent to the Senate.

The Bill to amend an act entitled an act to encourage Benjamin Heron, Esqr., to build a Bridge over the Northeast branch of Cape Fear River, at or near the place where the ferry is now kept by Edward Davis, was read the second time, amended, passed and sent to the Senate.

The Bill for securing the rights of such persons in the County of Washington as lie between the River Holstein and the line lately run by the Commissioners of this State and the State of Virginia as the Dividing line between the said States, and Dividing the said County of Washington into two Distinct Counties, and for other purposes, was read the second time, amended, passed and sent to the Senate.

The Bill for dividing Anson County, and other purposes, was read the second time, passed and sent to the Senate.

The Bill for establishing an Academy in the County of Granville, and for appointing Trustees, and for other purposes, was read the second time, passed and sent to the Senate.

The Bill for building a Court House in Elizabeth Town, in the County of Bladen, and other purposes, was read the second time, passed and sent to the Senate.

Resolved, that Mr. Norwood have leave to absent himself from the services of this House until Monday next.

Resolved, that Mr. Bloodworth, Mr. Starkey, Mr. Locke, Mr. Smith, Mr. Hunter, Mr. Patterson and Mr. James Campbell, be a Committee, on the part of this House, to Act jointly with such Gentlemen of the Senate as may be appointed, to inquire what necessaries are or may be wanting for the use of our Army, and make report thereon.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen of the Senate:

This House have appointed Mr. Bloodworth, Mr. Starkey, Mr. Locke, Mr. Smith, Mr. Hunter, Mr. Patterson and Mr. James Campbell, be a Committee, to act jointly with such Gentlemen of

the Senate as may be appointed, to enquire what necessaries are or may be wanting for the use of our Army, and make report thereof.

Resolved, that Whitmell Hill, Thomas Burke and Allen Jones, Esquires, Delegates appointed by the present General Assembly to represent this State in Congress the ensuing year, in conjunction with John Penn, Cornelius Harnett and William Sharpe, Esquires, be and they are hereby invested with the same powers and Authorities that the Delegates appointed by any former Assembly of this State were invested with.

Resolved, that His Excellency the Governor be impowered and requested to make out Commissions to Whitmell Hill, Thomas Burke and Allen Jones, Esquires, as Delegates, certifying the powers and authorities which they are invested with, to which the Great Seal of this State shall be affixed.

Ordered that the above Resolve be sent to the Senate, for their Concurrence, with the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send, for your Concurrence, a Resolve of this House investing the Delegates appointed this present Session of Assembly with certain powers and authorities, also requesting His Excellency the Governor to make out Commissions, &c.

The Bill for giving to all persons having Lands in this State a further time for proving and registering their Deeds and Mesne conveyances, and for other purposes, was read the second time, amended, passed and sent to the Senate.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen of the House of Commons:

This House have received your Message appointing a third Committee of Claims, to which we agree, and have, for that purpose, appointed Colo. Rhodes, from one of the other Committees, and Mr. Roberson, Mr. Graham, Mr. Respass and Mr. Kenan.

The House Adjourned til To-morrow Morning 9 O'Clock.

FRIDAY, 29th October, 1779.

The House met according to Adjournment.

Resolved, that Nicholas Long, Esqr., be directed to furnish Richard Wheeling an express from Virginia to Joseph Green, Esqr., purchasing Commissary, with a Horse.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen of the Senate:

We herewith send, for your Concurrence, a Resolve of this House directing Nicholas Long, Esqr., to furnish Richard Wheeling an express with a Horse.

The Bill for granting a free Pardon to Charles Shearing, now under sentence of Death, was read the third time, passed and ordered to be Engrossed.

The Bill to Enlarge the Jurisdiction of Justices of the Peace, was read the second time, amended, passed and sent to the Senate.

On reading the Petition of Charles Radcliff, a prisoner of War, in Halifax,

Resolved, that General Jones be requested to Paroll the said Radcliff to Charles Town in South Carolina, or to some Sea port Town in this State, as to him shall seem best.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen of the Senate:

We herewith send, for your Concurrence, a Resolve of this House requesting General Jones to Paroll Charles Radcliff, a prisoner of War.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen of the House of Commons:

The Resolve of your House directing Nicholas Long, Esqr., to furnish Richard Wheeling an express with a Horse, you will with this receive, concurred with.

At the same time received the Resolve of this House, referred to in the above Message, Concurred with.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen of the House of Commons:

The Resolve of your House investing the Delegates appointed

this Session with certain powers and authorities, and requesting His Excellency the Governor to make out Commissions, &c., we herewith return you, Concurred with.

Received from the Senate the following Messages:

Mr. Speaker & Gentlemen of the House of Commons:

This House have appointed Mr. Ramsey and Mr. Respass, to act jointly with the Gentlemen by you appointed, to enquire what necessaries are or may be wanting for the Army, and make Report thereof.

Mr. Speaker & Gentlemen of the House of Commons:

We herewith return the Resolve of your House impowering our Delegates to ratify the Articles of Confederation, on the part of this State, Concurred with by this House.

At the same time received the Resolve referred to in the above Message, concurred with.

General William Caswell, one of the Members for Dobbs County, appeared, was qualified and took his Seat.

The Honorable the Speaker laid before the House a Letter from His Excellency the Governor of the 27th Inst., Inclosing sundry Resolves of Congress, Letters from the North Carolina Delegates, &c., which were read and ordered to be sent to the Senate.

The Bill to regulate Ordinaries, Houses of Entertainment and Ferries, and other purposes, was read the first time, passed and sent to the Senate.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen of the House of Commons:

It being obvious to this House that the sum heretofore allowed Prisoners of War, for their maintenance, is really inadequate; You will herewith receive, for your Concurrence, a Resolve of this House allowing them a larger sum.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen of the Senate:

We herewith return the Resolve of your House allowing the prisoners of War in this State Six Dollars per Day for their maintenance, Concurred with by this House.

The Bill to carry into effect an Act passed at New Bern, in

November, of the year 1777, entitled an Act for confiscating the property of all such persons as are inimical to the United States, and of such Persons as shall not, within a certain time mentioned, appear and submit to the State, whether they shall be received as Citizens thereof, and of such persons who shall so appear and shall not be admitted as Citizens, and for other purposes therein mentioned, was read the first time, passed and sent to the Senate.

The Bill for establishing a Town in Lincoln County, on the Land of Valentine Mauney, was read the second time and rejected.

The Bill to prevent persons from Injurying the Inland Navigation of Rivers, Creeks and water courses in this State, in the counties therein mentioned, was read the second time, passed and sent to the Senate.

Resolved, that General Jones be and he is hereby impowered and requested to Paroll such Prisoners of War, in the District of Halifax, to such place or places as he may judge best for the safety of this State.

Ordered that the above Resolve be sent to the Senate, for their Concurrence, with the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send, for your Concurrence, a Resolve of this House impowering General Jones to Paroll such Prisoners of War, in the District of Halifax, to such places as he may judge best for the safety of this State.

The Bill to enable John Norwood, surviving Executor of the last will and Testament of Henry Bradley, Deceased, to sell and convey the lands of the said Deceased, was read the second time, amended, passed and sent to the Senate.

The Bill for annexing part of Burke County to Lincoln, and other purposes, was read the second time and rejected.

The Petition of Thomas Pierce, Master of the Brigantine Mars, now a Prisoner of War in Halifax, praying, was read and rejected.

The Bill to amend an Act entitled an Additional Act Concerning servants and slaves, passed at New Bern in the year one thousand seven Hundred and fifty-three, and other purposes therein mentioned, was read the second time, passed and sent to the Senate.

The House adjourned til To-morrow Morning 9 O'Clock.

SATURDAY, 30th October, 1779.

The House met according to Adjournment.

The Bill to impower the Commissioners therein mentioned to purchase a Lot in the Town of Wilmington, for the District of Wilmington, and other purposes, was read the second time, passed and sent to the Senate.

The Bill for Building a Court House in Elizabeth Town, in the County of Bladen, and other purposes, was read the third time, amended, passed and sent to the Senate.

The Bill to vest the Title of certain Land, therein mentioned, in Abner Nash, Esquire, was read the second time, passed and sent to the Senate.

The Bill to amend an Act Entitled an Act concerning servants & slaves, was read the second time, passed and sent to the Senate.

The Bill to amend an Act entitled an Act for appointing Commissioners to fix on a certain place within the County of Montgomery to build a Court House, prison and Stocks, and for other purposes therein mentioned, was read the third time, amended, passed and sent to the Senate.

Mr. Jones, from the Committee appointed to examine and receive the public papers from General Skinner, Reported as follows:

Your Committee have examined the papers and find those in a proper State for settlement with the Continental Congress, and that we have received from General Skinner the accounts and vouchers, which we are ready to lay before the House,

The House taking the said Report into Consideration,

Resolved, that the same be Rejected, and the Vouchers rec'd by the Committee, filed in the office of the Clerk of this House, and the accounts stated by General Skinner, on his request, returned to him.

Resolved, that Aaron Dudley, of Martin County, be allowed the sum of one hundred and fifty pounds for his vigilance in endeavoring to apprehend and take up a certain John Hays, a noted disaffected person to the United States. That any one of the Treasurers pay him the same and be allowed.

Ordered that the above Resolve be sent to the Senate, for their Concurrence, with the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send, for your Concurrence, a Resolve of this House allowing Aaron Dudley the sum of one hundred and fifty pounds.

Resolved, that a Committee be appointed to take under consideration the state of the Garrison and supplys necessary for Fort Johnston; that for this purpose Mr. Brown, Mr. Starkey, Mr. Johnston, Mr. Macon, Mr. Luttrell, Mr. Phifer, Mr. Jones, and Mr. Tullock, be a Committee, to act jointly with such members of the Senate as may be appointed for that purpose.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen of the Senate:

This House have appointed Mr. Brown, Mr. Starkey, Mr. Johnston, Mr. Macon, Mr. Luttrell, Mr. Phifer, Mr. Jones and Mr. Tullock a Committee, to Act jointly with such members of the Senate as may be appointed, to take under consideration the State of the Garrison, and supplies necessary for Fort Johnston.

The Bill for securing the Rights of such persons in the County of Washington as lie between the River Holstein and the line lately run by the Commissioners of this State and the State of Virginia as the dividing line between the said States, and for Dividing the said County of Washington into two distinct Counties, and for other purposes, was read the third time, passed and ordered to be Engrossed.

Resolved, that Colo. Medlock have leave to absent himself from the Service of this House.

Resolved, that the Treasurers of the District of Wilmington be discharged from any further attendance on this Session of Assembly.

The Bill to Confirm the Titles of Lands to Sundry the Inhabitants of Duplin County, was read the second time, passed and sent to the Senate.

The Bill for dividing Anson County, and other purposes, was read the third time, passed and sent to the Senate.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen of the House of Commons:

You will herewith receive the Resolve of your House allowing Aaron Dudley one Hundred and fifty Pounds for services therein mentioned, concurred with.

At the same time received the Resolve of this House referred to in the above Message, concurred with.

The Bill to establish the seat of Government, and for the other purposes therein mentioned, was read the second time and rejected.

On motion of Mr. Person, ordered that the Yeas and Nays be taken, which are as follows:

YEAS:—Messrs. J. Hawkins, Macon, P. Hawkins, M. Abernathy, Hinton, Medlock, McCrawley, Patterson, D. Gillespie, Kimbrough, Person, Tullock, Brown, Bynum, Arnold, Isaacs, Clarke, J. Shepperd, Winslow, S. Miller, Phifer, Wilson, Luttrell, Younghusband, Jas. Hunter, Locke, Morrison, Farrow.

NAYS:—Messrs. Peebles, Haywood, Tripp, Kennady, Gorham, Williams (Pitt), Hargett, H. Bryan, Blackstock, Bright, Starkey, J. A. Campbell, Boyd, Spruill, Swain, B. Williams, Clinton, L. Bryan, Bloodworth, Horn, Humphries, Grandy, J. Gillespie, Johnston, A. Sheppard, Jacob Hunter, Hancock, Howard, Smithwick, Caswell.

The House Adjourned til 4 OClock P. M.

The House met according to Adjournment.

Mr. Bloodworth, who was appointed on the part of this House to Superintend the Balloting for a Councillor, and Treasurer for the District of Hillsborough, Reported,

That by a majority of the votes of both Houses of the General Assembly, Edward Starkey, Esquire, was Elected a Councillor; but that neither of the persons in nomination for a Treasurer had a majority of votes, and recommended to the House to Ballot again for a Treasurer.

The House taking the said Report into consideration, concurred therewith.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen of the House of Commons:

This House propose to Ballot immediately for a Treasurer for the District of Hillsborough.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen of the Senate:

We agree to Ballot immediately for a Treasurer for the District of Hillsborough, and put in nomination Matthew Jones, Memucan Hunt and John Patterson, Esquires.

The House Adjourned til Monday Morning 10 O'Clock.

Monday, 1st November, 1779.

The House met according to Adjournment.

Received from His Excellency the Governor a Message inclosing a Letter from the Governor of South Carolina, requesting a further aid from this State for the defence of that State and Georgia.

Ordered that the same be referred to a joint Committee.

That, for this purpose, Mr. Jones, Mr. Locke, Mr. Starkey, Mr. Montfort, Mr. Bloodworth, Mr. Brown and Mr. Hawkins, be a Committee, on the part of this House.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen of the Senate:

We herewith send you a Message from His Excellency the Governor of South Carolina, which we propose referring to a joint Committee, and have for that purpose, on our part, appointed Mr. Jones, Mr. Locke, Mr. Starkey, Mr. Montfort, Mr. Bloodworth, Mr. Brown and Mr. Hawkins, a Committee, who are also to confer with Mr. Edward Rutledge, the bearer of the Letter from the Governor of South Carolina to Governor Caswell, respecting an aid from this State to South Carolina.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen of the House of Commons:

This House have appointed Col. Martin, Mr. Davis, Genl. Rutherford, Mr. Harvey, Mr. Rand, Mr. Salter and Mr. Hunt, a Committee, to act jointly with the Gentlemen by you appointed, to take under Consideration the Letter from the Governor of South Carolina, &c.

Colo. Hawkins, from the Committee to whom was referred the Petition of Thomas Turner, of Warren County, Reported as follows:

That the losses of his son, Capt. Jacob Turner, Deceased, in the Battle at Brandy Wine, the 11th of September, 1777, was to the amount of one hundred and seventy pounds at that time, and that the same ought to be allowed.

The House taking the said Report into consideration, Concurred therewith, and

Resolved, that the Treasurers or any one of them pay the said Thomas Turner the same, and be allowed.

On reading the petition of John Robinson, of Burke County, deemed one of the nine months Men, praying to have a formal Tryal by the Court Martial of said County,

Resolved, that the prayer of the said Petition be granted.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen of the Senate:

We herewith send, for your Concurrence, a Resolve of this House on the Petition of John Robinson, of Burke County.

Read the Petition of John Robinson, of Wilmington, praying, &c.

Resolved, that the same be referred to a joint Committee. That for this purpose, Mr. Locke, Mr. Starkey, Mr. Brown, Mr. Hawkins, Mr. Campbell, Mr. Hunter and Mr. Harget, be a Committee, on the part of this House.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen of the Senate:

We herewith send you the Petition of John Robinson, of Wilmington, which we propose referring to a joint Committee, and have, for that purpose, on our part, appointed Mr. Locke, Mr. Starkey, Mr. Brown, Mr. Hawkins, Mr. Campbell, Mr. Hunter and Mr. Harget, a Committee.

The Bill to Enlarge the jurisdiction of Justices, and for other purposes, was read the third time, amended, passed and sent to the Senate.

The Bill to regulate & establish a Militia in this State, was read the first time and rejected.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen of the House of Commons:

This House have thought it most conducive to the Public good to refer the accounts of the Continental Waggons to Colo. Long, supposing he can discern the propriety of such accounts more easily than a Committee of Claims, a resolve for that purpose we herewith send for your Concurrence.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen of the Senate:

We herewith return the Resolve of your House for referring the accounts of the Continental Waggons to Col. Long to settle, Concurred with by this House.

The Bill to establish a road from James McDaniel's, in Pasquotank County, to the Widow White's, in Perquimons County, and granting a Toll on the same, was read the second time, amended, passed and sent to the Senate.

The Bill for the Division of Dobbs County, and other purposes therein mentioned, was read the third time, amended, passed and sent to the Senate.

Read the Report of the Committee to whom was referred the Governor of South Carolina's Letter, and the same was Rejected.

On taking under Consideration the critical Situation of affairs in Georgia and South Carolina, and it appearing absolutely necessary that an immediate aid from this State should be sent there;

Resolved, therefore, that His Excellency the Governor be requested to order on to South Carolina, with all possible Expedition, the Force directed to be raised by an Act passed at the last Session of the General Assembly held at Smithfield, entitled "an Act for raising Regular Forces for the Defence of this and the Neighboring States, and for other purposes," taking care that each and every County in this State send their due proportion of men agreeable to the said Act.

Resolved, also, that His Excellency be impowered, with the advice of his Council, to order further Drafts from the Militia, not exceeding one thousand men, agreeable to the Militia Law, and cause the said Drafts to be marched to South Carolina, under the same Regulations established by the Act herein before mentioned.

Ordered that the above Resolve be sent to the Senate, for their Concurrence, together with the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your Concurrence, a Resolve of this House, requesting his Excellency the Governor to send, with all possible expedition, to the aid of South Carolina, the Militia lately drafted in virtue of an Act of Assembly passed at Smithfield, also another Resolve impowering His Excellency to send, by the advice of the Council, an additional aid, &c.

The Bill for laying a Tax for defraying the expence of the public buildings in the County of Nash, was read the second time, amended, passed and sent to the Senate.

The Bill for establishing Fairs in Halifax Town and Edenton, was read the third time, amended, passed and sent to the Senate.

Received from the Senate the following Messages:

Mr. Speaker & Gentlemen of the House of Commons:

The Resolve of your House in favour of John Robinson, of Burke County, you will herewith receive, Concurred with.

Mr. Speaker & Gentlemen of the House of Commons:

We herewith return the Report of the Committee appointed to take under Consideration the Petition of Thomas Turner, Concurred with by this House.

At the same time received the Resolves of this House referred to in the above Messages, Concurred with.

The House Adjourned till To-morrow Morning 10 O'Clock.

TUESDAY, 2nd November, 1779.

The House met according to Adjournment.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen of the House of Commons:

We herewith send, for your Concurrence, the Report of the Committee appointed to consider the Petition of Thomas Burke, Esqr., concurred with by this House.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen of the Senate:

We herewith return the Report of the Committee appointed to consider the Petition of Thomas Burke, Esqr., concurred with by this House.

The Bill to prevent Hunting in the woods, in the night time, with Gun and firelight, and other purposes therein mentioned, was read the second time, amended, passed and sent to the Senate.

The Bill for sending an aid to the States of South Carolina and Georgia was read the first time, passed and sent to the Senate.

Mr. Bloodworth, who was appointed, on the part of this House, to superintend the Balloting for a Treasurer for the District of Hillsborough, Reported

That Matthew Jones, Esqr., the person in nomination, had the greatest number of votes of any, but that Members sufficient to constitute an Assembly had not voted, and recommended to the House to ballot again.

The House taking the said Report into consideration, Concurred therewith.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen of the Senate:

This House propose to Ballot at 4 O'Clock this evening for a Treasurer for the District of Hillsborough, and desire the Concurrence of the Senate.

We put in nomination Matthew Jones, Memucan Hunt and John Taylor, Esquires.

Mr. Wilson moved for leave and presented a Bill for dividing the Mecklenburg Regiment of Militia into two separate and Distinct Regiments, which he read in his place, and delivered in at the Table, where it was again read, passed and sent to the Senate.

The Bill to prevent Distilling Grain into Spiritous Liquor, was read the second time and rejected.

Mr. Bloodworth moved for leave and presented a Bill to enable the administrators of John Roberson, Deceased, to sell and dispose of the Estate of said Roberson, which he read in his place, and Delivered in at the Table, where it was again read, passed and sent to the Senate.

The Bill for laying a Tax of two and a half per Cent. upon all goods, wares and Merchandize exposed to public Sale, and for regulating public Auctions, was read the Second time and rejected.

The Bill for giving to all persons having Lands in this State a further time for proving and registering their Deeds and Mesne Conveyances, and for other purposes, was read the third time, amended, passed and sent to the Senate.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen of the House of Commons:

You will herewith receive for your Concurrence, a Resolve of this House allowing Colo. Walter Lindsay the annual Sum of Fifty Pounds.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen of the Senate:

We herewith return the Resolve of your House allowing Colo. Walter Lindsay the annual Sum of Fifty Pounds, concurred with.

The Bill for erecting a Town on the Lands of Thomas Hunter, Squhawkey, in Martin County, was read the third time, amended, passed and sent to the Senate.

The Bill to amend an act for ascertaining what property in this State shall be deemed Taxable property, the method of asessing the same, and collecting the public Taxes, and other purposes, was read the second time, amended, passed and sent to the Senate.

A second Bill to amend an act entitled an act for ascertaining what property in this State shall be deemed Taxable property, the method of assessing the same, and collecting the public Taxes, and other purposes, was read the second time and rejected.

Mr. Person moved for leave and presented a Bill to establish a board of Commissioners for settling and adjusting the public Accounts of this State, and other purposes, which he read in his place, and delivered in at the Table, where it was again read, passed and sent to the Senate.

The Bill for sending an aid to the States of South Carolina and Georgia, was read the second time, passed and sent to the Senate.

The Bill for Docking the Intail of a certain Tract of Land therein mentioned, was read the Second time and rejected.

The Bill to amend an Act Entitled an Act concerning Servants & Slaves, was read the third time, passed and ordered to be Engrossed.

Mr. Person moved for leave to withdraw and amend the Bill for the more effectually preventing Engrossing, &c.

Ordered that he have leave accordingly.

The House Adjourned til To-morrow Morning 9 OClock.

Wednesday, 3rd November, 1779.

The House met according to adjournment.

The Bill for annexing part of Cartaret to Jones, and other purposes, was read the third time, amended, passed and sent to the Senate.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen of the House of Commons:

As it is evident that at the Balloting on Saturday last a sufficient number of votes appeared in favour of Matthew Jones, Esquire, to Elect him a Treasurer for the District of Hillsborough, and this House having Resolved that Election to be legal cannot concur with your Message, for Balloting for a Treasurer for the District of Hillsborough again.

The Petition of John Johnston and Walter Baird, prisoners of War, paroled to Halifax, praying to have their parolls extended to New York, was Read and Rejected.

The Bill for Docking the Intail of all Lands, Tenements & Hereditaments, within this State, was read the second time and rejected.

The Bill to impower the Commissioners therein mentioned to purchase a Lot in the Town of Wilmington, build a gaol for the District of Wilmington, and other purposes, was read the third time, passed and sent to the Senate.

The Bill to Establish a Road from James McDaniel's, in Pasquotank County, to the Widow White's, in Perquimons County, and granting a Toll on the same, was read the third time, amended, passed and sent to the Senate.

The Bill to prevent the stopping of Fish from running up Rockey River, was read the first time, passed and sent to the Senate.

The Bill to lay off a Town in the County of Surry, on the lands the property of John Armstrong and William Sheppard, at the Court House of said County, was read the first time, passed and sent to the Senate.

The bill for prolonging the time for saving the Lots in the Towns of Windsor and Winton, was read the second time, amended, passed and sent to the Senate.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen of the House of Commons:

We herewith send, for your Concurrence, a Resolve of this House requesting His Excellency to effect an Exchange of Prisoners.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen of the Senate:

We herewith return the Resolve of your House requesting His Excellency to effect an exchange of Prisoners, Concurred with.

Resolved, that the Bill to carry into effect the Confiscation Act, &c., be read To-morrow for the Second time.

The Bill to amend an Act entitled an act to encourage Benjamin Heron, Esqr., to build a Bridge over the northeast branch of Cape Fear River, at or near the place where the ferry is now kept by Edward Davis, was read the third time and rejected.

The Bill for docking the Intail of a certain tract of Land in Tyrrell County, was read the second time and rejected.

The Bill for laying a Tax to defray the expense of the Public buildings in the County of Nash, was read the third time, passed and ordered to be Engrossed.

The Bill to amend an Act Entitled an Act to amend the Staple of Tobacco, was read the Second time, passed and sent to the Senate.

The Bill to regulate Ordinaries, Houses of Entertainment and Ferries, and other purposes, was read the Second time, amended, passed and sent to the Senate.

The Bill to confirm the Titles of Lands to sundry the Inhabitants of Duplin County, was read the third time, passed and ordered to be engrossed.

This being objected to, ordered that yeas and nays be taken, which are as follows:

Yeas:—Messrs. Peebles, Haywood, Tripp, Williams (Pitt), Harget, Blackstock, Bright, Starkey, J. A. Campbell, Boyd, Spruill, Swain, M. Abernathy, Hinton, B. Williams, Clinton, L. Bryan, M. Crawley, Patterson, Bloodworth, Tullock, Cain, Brown, S. Williams, Horn, Vaughan, Norwood, Arnold, Isaacs, Walton, Clarke, J. Sheppard, Humphries, R. Abernathy, J. Gillespie, S. Miller, Phifer, Wilson, A. Sheppard, Younghusband, Jacob Hunter, Farrow, J. Howard, Smithwick.—44.

Nays:—Messrs. Smith, J. Hawkins, Macon, H. Bryan, P. Hawkins, J. Campbell, Person, Winslow, Willis, Johnston, Luttrell, Jas. Hunter, Gorham, Locke, Morrison, Caswell.—16.

Mr. Person moved for leave to enter his reason of dissent against the passage of the before mentioned Bill.

Ordered that he have leave at any time before the breaking up of this Session.

The Bill for the more effectually preventing Engrossing and Forestalling, for the encouragement of Commerce and the fair

Trader, and for other purposes therein mentioned, was read the Second time, amended, passed and sent to the Senate.

The House adjourned till To-morrow Morning 9 o'Clock.

Thursday, 4th November, 1779.

The House met according to Adjournment.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen of the House of Commons:

You will herewith receive, for your Concurrence, a Resolve of this House appointing Colonel Thomas Eaton, Brigadier General of Halifax District; you will also receive General Jones' Memorial on that Subject.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen of the Senate:

We herewith return the Resolve of your House appointing Colo. Thomas Eaton, Brigadier General of the District of Halifax, during the time General Jones shall continue a Member of the Continental Congress, Concurred with by this House.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen of the House of Commons:

We herewith send, for your Concurrence, a Resolve of this House impowering the several Sheriffs in this State, to receive in payment of Taxes, all Claims allowed, and certified and Indented Loan office Certificates.

Ordered that the following message be sent to the Senate:

Mr. Speaker & Gentlemen of the Senate:

We herewith return the Resolve of your House impowering the several Sheriffs in this State to receive in payment of Taxes all

Claims allowed and property certified and Indented Loan office Certificates, Concurred with by this House.

The Bill for directing the method of appointing Jurors in all Causes, Civil and Criminal, was read the third time, amended, passed and sent to the Senate.

The Bill to enable the Administrators of John Robeson, Deceased, to sell and dispose of the Estate of said Deceased, was read the second time, amended, passed and sent to the Senate.

The Bill for prolonging the time for saving the Lots in the Towns of Windsor and Winton, was read the third time, passed and sent to the Senate.

The Bill for sending an aid to the States of South Carolina and Georgia, and for other purposes, was read the third time, passed and ordered to be Engrossed.

Mr. Robert Rowan, one of the Members for Cumberland County, appeared and took his seat.

The House adjourned til to-morrow morning, 9 o'Clock.

FRIDAY, 5th November, 1779.

The House met according to Adjournment.

The Petition of John Hoof, praying, &c., was read and rejected.

The Bill to Establish and lay out a Town, in Washington County, was read the third time, passed and sent to the Senate.

The Bill to carry into effect an Act passed at New Bern, in November, in the year 1777, entitled an Act for confiscating the property of all such persons as are inimical to this State or the United States, and of such persons as shall not, within a certain time therein mentioned, appear and submit to the State, whether they shall be received as Citizens thereof, and of such persons who shall so appear and shall not be admitted as Citizens, and for other purposes therein mentioned, and for other purposes, was read the third time, amended, passed and sent to the Senate.

Read the Petition of Thomas Person, Esqr.

Ordered that the same be referred to the joint Committee appointed to take under consideration the Petition of Abner Nash, Esqr.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen of the Senate:

We herewith send you the Petition of Thomas Person, Esqr., which we propose referring to the joint Committee appointed to take under consideration the Petition of Abner Nash, Esqr., and desire the concurrence of the Senate.

The Bill to Establish a board of Commissioners for settling and adjusting the Public Accounts of this State, and other purposes, was read the second time, passed and sent to the Senate.

The Bill for Dividing the Mecklenburg Regiment of Militia into two separate and distinct Regiments, was read the Second time, passed and sent to the Senate.

The Bill to prevent Persons from stopping the passage of Fish up Tar River and Dan River, was read the third time, amended, passed and sent to the Senate.

The Bill to regulate Ordinaries, Houses of Entertainment and Ferries, and other purposes, was read third time, passed and ordered to be Engrossed.

Resolved, that Nicholas Long, Esqr., Deputy Quarter Master General, be requested to furnish the General Assembly with a list of all the waggons in public service, and under his care, and the names of the persons owning such waggons, and an account of the time they have respectively been in service, discriminating those that have been put in service voluntarily from those impressed.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your concurrence, a Resolve of this House requesting Nicholas Long, Deputy Quarter Master General to furnish the Assembly with a list of waggons in public service and under his care, &c.

The Bill to prevent persons from injuring the Inland Navigation of Rivers, Creeks and Water Courses in this State, &c., was read the third time, amended, passed and sent to the Senate.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen of the House of Commons:

This House have received your Message, proposing to refer the Petition of Thomas Person, Esqr., to the Committee appointed to consider the petition of Abner Nash, Esqr., to which we agree.

Resolved, that the Bill for the more effectually preventing Engrossing and forestalling, for the Encouragement of Commerce and the fair Trader, &c., be read to-morrow for the third and last time in this House.

The House adjourned till To-morrow Morning 9 o'Clock.

SATURDAY, 6th November, 1779.

The House met according to adjournment.

Resolved, that Mr. Boyd & Mr. Grandy have leave to absent themselves from the service of this House.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen of the House of Commons:

The Resolve of your House directing Colo. Long to furnish this Assembly with an account of the public Waggons, &c., you will herewith receive, Concurred with.

At the same time received the Resolve of this House referred to in the above Message, concurred with.

Whereas, Benjamin Hawkins, Esqr., Commercial Agent, &c., has purchased on behalf of the State two Hundred thousand weight of Tobacco, and has Chartered a vessel to transport Eighty thousand weight of the same to St. Eustatia; not being able to procure vessels to carry the remainder;

Resolved, that the said Hawkins be impowered to dispose of the said Eighty Thousand weight of Tobacco in manner heretofore directed by Resolve of the General Assembly, and also to contract for the Delivery of the remaining one hundred and Twenty Thousand weight, either in the West Indies or in this State, at his discretion.

Ordered that the above Resolve be sent to the Senate, for their concurrence with the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send, for your concurrence, a Resolve of this House impowering the commercial agent to dispose of part of the public Tobacco as heretofore directed, and to contract for the delivering of the remainder, either in the West Indies or in this State, at discretion.

The Bill to amend an Act entitled an act to amend the Staple of Tobacco, was read the third time, passed, and ordered to be Engrossed.

The Bill to recruit the Continental Battalions of this State, was read the first time and rejected.

The Bill for dividing the Mecklenburg Regiment of Militia into two separate and distinct Regiments, was read the third time, amended, passed and sent to the Senate.

The Bill to enable John Kirkwood & Thomas Robeson to sell and dispose of the Estate of John Robeson, Deceased, was read the third time, passed and sent to the Senate.

The Bill to enable John Norwood, surviving Executor of the last will and Testament of Henry Bradley, Deceased, to sell and Convey the Lands of the said Deceased, was read the third time, passed and sent to the Senate.

The Bill to amend an Act for ascertaining what property in this State shall be deemed Taxable property, the method of assessing the same, collecting the public Taxes, and other purposes, was read the third time, passed and sent to the Senate.

It was moved and Seconded that the Continental Officers, ordered by His Excellency General Washington from the Northward to the Southward, should be allowed three Dollars per Day for subsistence Money, and that the Continental paymaster be directed to pay the same.

This being objected to, the question was put and carried in the negative—the yeas and nays being required by Colo. Luttrell:

Yeas.—Messrs. Smith, J. Hawkins, Macon, Harget, Blackstock, Spruill, Hinton, B. Williams, L. Bryan, D. Gillespie, Bloodworth, Tullock, S. Williams, Norwood, Humphries, Willis, J. Gillespie, J. Johnston, Phifer, Wilson, A. Sheppard, Luttrell, Jas. Hunter, R. Rowan, R. Abernathy.—25.

Nays.—Messrs. Peebles, Haywood, Tripp, J. Williams, Bright, Starkey, J. A. Campbell, W. Boyd, P. Hawkins, Swain, Clinton, Wm. McCauley, Patterson, Person, Brown, Cain, Horn, Vaughan, Isaacs, Walton, J. Shepperd, Miller, Hancock, Jacob Hunter, Farrow, Locke, Howard, Morrison.—28.

The Bill to amend an Act entitled an additional Act concerning Servants & Slaves, passed at New Bern, in the year one thousand Seven Hundred & fifty-three, and other purposes therein mentioned, was read the third time, amended, passed and sent to the Senate.

The Bill to prevent Hunting, in the night time, with Gun and firelight, and other purposes therein mentioned, was read the third time, amended, passed and sent to the Senate.

The House adjourned till 4 o'Clock P. M.

The House met according to adjournment.

Mr. Bloodworth moved for leave and presented a Bill to fill up the Continental Battalions of this State, and other purposes, which he read in his place, and Delivered it at the Table, where it was again read, passed and Sent to the Senate.

The Bill to amend an Act entitled an Act for establishing offices for receiving Entries of Claims for lands in the several Counties within this State, for ascertaining the method of obtaining titles to the same, and for other purposes therein mentioned, and also to amend one other Act entitled an Act to amend an Act for establishing offices for receiving Entries of Claims for lands in the several Counties within this State, for ascertaining the method of obtaining Titles to the same and for other purposes, was read the second time, amended, passed and sent to the Senate.

The House adjourned till to-morrow Morning 9 o'Clock.

Sunday, 7th November, 1779.

The House met according to adjournment.

The Bill to prevent the stopping the Fish from running up Rockey and Haw Rivers, was read the second time, amended passed and sent to the Senate.

Received from the Senate the following Message:

Mr. Speaker and Gentlemen of the House of Commons:

We herewith send, for your Concurrence, a Resolve of this House directing Benjamin Hawkins, Esqr., in the Execution of the Office of Commercial agent for this State.

Ordered that the following Message be sent to the Senate:

Mr. Speaker and Gentlemen of the Senate:

We herewith return the Resolve of your House directing Benjamin Hawkins, Esqr., in the Execution of the office of Commercial Agent for this State, Concurred with.

Received from the Senate the following Message:

Mr. Speaker and Gentlemen of the House of Commons:

You will herewith receive, for your Concurrence, a Resolve of this House citing William McCauley, Esqr., to appear at the next Session of Assembly to answer the accusations alleged in the Petition of John Hogan, Esqr.

At the same time received the Resolve of the Senate and the Petition of John Hogan, Esquire, referred to in the above Mes sage.

Resolved, that the same be rejected, as the said Hogan left the service of the Assembly without giving any reason to this House why the said McCauley should be called on in manner aforesaid.

The Bill to Establish a board of Commissioners for settling and adjusting the Public accounts of this State, and other purposes was read the third time and rejected.

On the question shall the Bill pass or not pass, the yeas and nays being required by Mr. Person:

Yeas.—Messrs. J. Hawkins, Macon, Haywood, Harget, Starkey, J. A. Campbell, P. Hawkins, M. Abernathy, Hinton, B. Williams, Clinton, L. Bryan, McCauley, Patterson, D. Gillespie, Person, Bloodworth, Tullock, Cain, Brown, Norwood, Humphries, J. Gillespie, Miller, Hancock.—25.

Nays.—Messrs. R. Smith, Peebles, Jones, Gorham, Williams, (Pitt), H. Bryan, W. Boyd, Spruill, Swain, J. Campbell, S. Williams, Horn, Vaughan, Arnold, Isaacs, Walton, Winslow, R.

Abernathy, J. Johnston, Phifer, Wilson, Luttrell, Younghusband, Jas. Hunter, Jacob Hunter, Farrow, Locke, Morrison, Smithwick —29.

So it was Resolved in the Negative.

Received from the Senate the following Message:

Mr. Speaker and Gentlemen of the House of Commons:

You will herewith receive the Resolve of your House allowing William Tisdale, Esqr., one hundred and fifty pounds for making the great Seal of this State, Concurred with.

At the same time received the Resolve of this House referred to in the above Message, Concurred with.

Received from the Senate a Bill for docking the intail of a certain piece or parcel of Land as therein mentioned, and the same was rejected.

Whereas, General William Skinner, by direction of the General Assembly, at Smithfield, proceeded to state the accounts of this State against the United States, and Compleated the same, but it being necessary that Accounts be raised against the several States, individually, with which this State has had dealings, and also against all persons who have been interested with public Money and have failed to account,

Resolved, that General Skinner be requested to state the acc'ts above mentioned up to the end of the Session at Smithfield, and lay them, together with the acc'ts by him already compleated, before the General Assembly at their next Session at New Bern, and that he be impowered to call on all persons for such public papers as may be necessary to obtain this end.

Resolved, that General Skinner shall be allowed a reasonable Sum by the General Assembly adequate to his trouble for this additional service.

Mr. Person objected to the above Resolve.

On the question, will the House enter into this Resolve or not, the yeas and nays being required by Mr. Person:

Yeas.—Messrs. R. Smith, Jones, Montford, J. Hawkins, Tripp, Gorham, J. Williams (Pitt), Bright, J. A. Campbell, Boyd, Spruill, Swain, J. Campbell, M. Abernathy, Clinton, L. Bryan, McCau-

ley, Patterson, D. Gillespie, Bloodworth, Brown, S. Williams, Horn, Vaughan, Norwood, H. Bryan, Arnold, Isaacs, Humphries, Willis, J. Gillespie, Miller, Johnston, Wilson, Jas. Hunter, Jacob Hunter, Farrow, Morrison, Smithwick, Rowan, Starkey.—41.

Nays.—Messrs. Macon, Person, Tullock, Cain, Locke, Howard, Peebles, R. Abernathy, Blackstock, Luttrell.—10.

So it was resolved in the affirmative.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen of the Senate:

We herewith send, for your concurrence, a Resolve of this House requesting Gen. Skinner to compleat the settlement of the public Acc'ts, &c.

The Honbl. the Speaker laid before the House a Letter from Adam Boyd, Esqr.

Ordered that the same be referred to the joint Committee appointed to enquire what necessaries are or may be wanting for the use of our Army.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen of the Senate:

We herewith send you a Letter from Adam Boyd, Esquire, which we propose referring to the joint Committee appointed to enquire what necessaries are or may be wanting for the use of our Army.

Resolved, that Nicholas Long, Esqr., be directed to pay the Board of War in Virginia for such goods as were left, by Capt. Knox, of the Eighth Virginia Regiment, in the Town of Halifax in the year 1776, and applied to the use of this State.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen of the Senate:

We herewith send, for your concurrence, a Resolve of this House directing Colo. Long to pay the Board of War in Virginia for the Goods therein mentioned.

Resolved, that the Clerk be, and he is hereby, directed to make up the Estimate of allowances to the Members at twenty-five Dollars per Day, and to include Wednesday.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen of the Senate:

This House have directed their Clerk to make up the Estimate of allowance at Twenty-five Dollars per Day, and to include Wednesday next.

Received from the Senate the following Messages:

Mr. Speaker & Gentlemen of the House of Commons:

The Resolve of your House, requesting Genl. Skinner to compleat the Settlement of the Public Acc'ts, you will herewith receive, concurred with.

Mr. Speaker & Gentlemen of the House of Commons:

The Resolve of your House, directing Colo. Long to pay the Board of War in Virginia for the Goods therein mentioned, you will herewith receive; concurred with.

Mr. Speaker & Gentlemen of the House of Commons:

This House concur with yours in referring the Letter of Adam Boyd, Esquire, to the Consideration of the Committee appointed to consider what articles are necessary for the use of our Army.

At the same time received the Resolves of this House referred to in the two preceding Messages, concurred with.

The Bill for punishing persons concerned in any of the several Species of Counterfeiting in this State was read the third time, amended, passed and sent to the Senate.

The Bill to fill up the Continental Battalions of this State, and other purposes, was read the second time, passed and sent to the Senate.

The Bill to prevent the stopping of Fish from running up Rocky and Haw Rivers, was read the third time, passed and ordered to be Engrossed.

The Bill to Establish a Town in the County of Surry, heretofore laid out, on the Lands of John Armstrong and William Sheppard, at the Court House of said County, and for other purposes, was read the second time, amended, passed and sent to the Senate.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen of the House of Commons:

This House concur with your Message in making up the Estimate of allowances at Twenty-five Dollars per day, including Wednesday next.

The House adjourned till To-morrow Morning 9 o'Clock.

Monday, 8th November, 1779.

The House met according to adjournment.

Mr. Thomas Hines, one of the Members for Wake County, appeared and took his seat.

The House adjourned till 5 o'Clock P. M.

The House met according to adjournment.

Resolved, that Mr. Horn and Mr. Johnston have leave to absent themselves from the Service of this House.

The House adjourned till To-morrow Morning 9 o'Clock.

Tuesday, 9th October, 1779.

The House met according to adjournment.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen of the House of Commons:

You will herewith receive, for your Concurrence, a Resolve of this House appointing Major Henry Dickson, Inspector General over the aid of Militia voted by the present Assembly for the defence of South Carolina and Georgia, and allowing him a certain sum for such Services.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen of the Senate:

We herewith return the Resolve of your House appointing Major Henry Dickson, Inspector General over the aid of Militia

voted by the present Assembly for the Defence of South Carolina and Georgia, and allowing him a certain sum for such services, concurred with.

Resolved, that His Excellency the Governor be requested to issue a Captain's Commission to Ptolemy Powell, constituting him Captain of the Guard at Halifax Town.

Resolved, also, that the said Guard consist hereafter of a Captain, two Sergeants, two Corporals, a Drummer, Fifer and Twenty-four privates.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen of the Senate:

We herewith send, for your concurrence, a Resolve of this House, requesting His Excellency the Governor to issue a Captain's Commission to Ptolemy Powell, &c.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen of the House of Commons:

Herewith you will receive, for your concurrence, a Resolve of this House relative to public Stores on Board the Sloop George, now lying at Wilmington; also for citing Colo. Young, of Wilmington, to attend the next Session of Assembly to give information relative to the hire of said Sloop.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen of the Senate:

We herewith return the Resolve of your House relative to the Stores on Board the Sloop George, &c., and also for citing Colo. Young to attend on the next Session of Assembly, concurred with.

On Reading a Letter from Thomas Craike, Esqr., Deputy Commissary General of Military Stores & Deputy Clothier General, resigning the said appointments.

Resolved, that Robert Rowan, Esq., be, and he is hereby appointed to fill the said appointments, and that he receive of the said Thomas Craike, Esquire, all the Military Stores and Cloaths in his possession, belonging to the United States and this State.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen of the Senate:

We herewith send you a Letter from Thomas Craike, Esqr., resigning the appointments of Deputy Commissary General of Military Stores & Deputy Clothier General; also a Resolve of this House, for your Concurrence, appointing Robert Rowan, Esquire, to fill the said appointments, &c.

Received from the Senate the following Messages:

Mr. Speaker & Gentlemen of the House of Commons:

You will herewith receive a Resolve of this House recommending Colo. Benjamin Cleveland and Capt. Benjamin Herndon, and others, to His Excellency the Governor, to be pardoned for killing Lemuel Jones and William Coyle, and for beating James Harvell, which is sent for your Concurrence.

On the question will the House concur with the Resolve of the Senate referred to in the above Message or not concur, the yeas & nays being required by Mr. Starkey:

Yeas.—Messrs. Peebles, J. Hawkins, Macon, Tripp, J. A. Campbell, Swain, McCauley, D. Gillespie, Brown, S. Williams, Vaughan, Norwood, Arnold, Isaacs, Walton, S. Shepperd, Winslow, Humphries, Willis, Phifer, Wilson, A. Shepperd, Luttrell, Jas. Hunter, Hancock, Locke, Morrison, Smithwick, Hines.—29.

Nays.—Messrs. R. Smith, Jones, Montford, Gorham, Harget, Bright, Starkey, Boyd, Spruill, James Campbell, B. Williams, Clinton, Patterson, Person, Bloodworth, Cain, Bynum, J. Gillespie, Miller, Younghusband, Jacob Hunter, Farrow, J. Howard, Rowan.—24.

So it was Resolved in the affirmative.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen of the Senate:

We herewith return the Resolve of your House recommending Colo. Benjamin Cleveland & Captain Benjamin Herndon, and others, to His Excellency the Governor, to be pardoned for kill-

ing Lemuel Jones and William Coyle, and for beating James Harvell, Concurred with by this House.

The House adjourned till 4 o'Clock P. M.

The House met according to adjournment.

Received from the Senate the following Message:

Mr. Speaker and Gentlemen of the House of Commons:

You will herewith receive the Resolve of your House requesting His Excellency the Governor to issue a Captain's Commission to Ptolemy Powell, Concurred with.

At the same time received the Resolve of the Senate referred to in the above Message.

The Bill to carry into effect an Act passed at New Bern, in November, in the year 1777, entitled an act for confiscating the property of all such persons as are inimical to this State or the United States, and of such persons as shall not, within a certain time therein mentioned, appear and submit to the State, whether they shall be received as Citizens thereof, and of such persons who shall so appear and shall not be admitted as Citizens, and for other purposes therein mentioned, and for other purposes, was read the third time, amended by Consent of the Senate, passed and ordered to be Engrossed. Mr. Howard objected against the said Bill's passing, and moved for leave to enter his dissent against the same.

On motion,

Resolved, that Mr. Howard, on behalf of himself and the other Members who were against the passage of the said Bill, have leave to enter their reasons of dissent against it at any time before the breaking up of this Session of Assembly.

The Bill for the more effectually preventing Engrossing and forestalling, for the Encouragement of Commerce and the fair Trader, and for other purposes therein mentioned, was read the third time and Rejected.

On the question shall the Bill pass or not pass, The yeas and nays being required by Mr. Person:

YEAS.—Messrs. Peebles, J. Hawkins, Macon, Tripp, Gorham, H. Bryan, Blackstock, Spruill, Hinton, Clinton, Patterson, Person, Cain, Brown, Arnold, Walton, J. Shepperd, J. Gillespie, Miller, Phifer, Wilson, Jas. Hunter, Hancock, Farrow, Lock, Morrison. —26.

NAYS.—Messrs. Smith, Jones, Montford, Harget, Bright, Starkey, J. A. Campbell, Boyd, H. Hawkins, Swain, J. Campbell, M. Abernathy, B. Williams, L. Bryan, McCauley, Bloodworth, S. Williams, Bynum, Norwood, Isaacs, Clarke, Humphries, R. Abernathy, A. Sheppard, Luttrell, Jacob Hunter, Howard, Smithwick, Rowan, Johnston, Vaughan, Willis.—32.

So it was Resolved in the Negative.

Received from the Senate the following Message:

Mr. Speaker and Gentlemen of the House of Commons:

You will herewith receive for your Concurrence, a Resolve of this House, citing John Hatch to attend at the next Session of Assembly to give information of a waggon and Horses lost in the service on an Expedition to South Carolina.

Ordered that the following Message be sent to the Senate;

Mr. Speaker and Gentlemen of the Senate:

We herewith return the Resolve of your House citing John Hatch to attend on the next Session of Assembly, &c., Concurred with.

The House adjourned till to-morrow Morning 9 o'clock.

WEDNESDAY, 20th November, 1779.

The House met according to adjournment.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen of the House of Commons:

We herewith send you the Report of the joint Committee appointed to take under consideration the Petition of Abner Nash,

Esqr., to whom was referred the Petition of Thomas Person, Esquire, Concurred with by this House.

Ordered that the following Message be sent to the Senate:

Mr. Speaker and Gentlemen of the Senate:

We herewith return the Report of the joint Committee on the Petition of Thomas Person, Esqr., concurred with by this House.

Mr. Howard, according to order, presented the following protest against the Bill for carrying into effect the Confiscation Act, &c., viz.:

Reasons assigned for protesting against the Bill entitled a Bill for carrying the Confiscation Act into Effect:

1st. Because the Treason Bill, passed at New Bern, in April, 1777, declares that Merchants, &c., refusing to take the oath of allegiance shall depart out of the State and provides that all persons so departing shall and may dispose of their property agreeable to the directions of the said act, and shall not return on pain of Death. Whereas, the present Act, after reciting the preamble of the Confiscation Act, declares that the property of all persons who come within the meaning of said Act shall be seized by the Commissioners, and yet includes among the names therein inserted all persons who went out under the Treason Bill aforesaid without any reference to the said Treason Bill, and altho' it is expressly declared by the Confiscation Bill, passed at New Bern, as aforesaid, that such persons as departed from the Country, under compulsive authority of the Treason Bill, should not be construed to come within the said Confiscation Bill. Thus this part of the present Act condemns all the property of the persons above referred to which they were possessed of on the fourth day of July, 1776, even altho' disposed of bona fide agreeable to the Treason Act, and condemns the said property for this Reason, that the said persons did not appear and submit to the General Assembly, whether they should be received as Citizens, and have the possessions which to them formerly belonged restored, when at the same time it is evident by the Treason Act that if they did appear they must suffer

Death. And yet, the fourteenth section of the present Act declares that sales bona fide made agreeable to the Treason Bill, shall not be void. Thus the first Section of the present Act expressly contradicts the Confiscation Act passed at New Bern, as aforesaid, and the Treason Bill, which are both in force, and the said first Clause is again expressly contradicted by the fourteenth Section of this Act above referred to, so that we humbly conceive the aforesaid first Section to be fraught with the highest Injustice (which happily however cannot be carried into Execution) inasmuch as it Tends to make void Titles bona fide obtained agreeable to the Treason Bill; and that it also involves such a Complication of Blunders and betrays such ignorance in Legislation as would disgrace a Set of Drovers.

2nd. Because by the Act passed at Halifax, for carrying the Confiscation Act into Effect, provision was made for such unfortunate and Innocent Wives and Children resident in the State, who had been abandoned by their Fathers or Husbands, and also for aged parents in particular Cases. Whereas, the present Act destroys that provision without suggestion of Blame or misconduct on the part of the Objects of it, seizes all their property or nearly all to the use of the State, directs immediate Sale thereof, and leaves the unhappy sufferers to precarious Dependance on the Charity of a future Assembly. That we may not draw down upon our Heads the Curses of the unfortunate, helpless, innocent sufferers above referred to, we declare that we war not against such aged parents or against Women & Children, more especially being, as in this Case, our fellow Subjects, and in this public manner testify our Disapprobation.

3rd. In mere modesty and Humility, and that no merit may be imputed to us as Members of the House of Commons on Account of the bright Display of Wisdom, Virtue and Humanity exhibited by the General Assembly in this masterly performance, we enter this our protest.

Willie Jones.	Robert Smith.	Wm. Boyd.
Jas. Howard.	Rd. Clinton.	Saml. Williams.
Aug. Willis.	Timothy Bloodworth.	Tho. Younghusband.
John Johnston.	James Campbell.	H. Montford.
L. Luttrell.	James Gorham.	Edwd. Starkey.

Received from the Senate the following Messages:

Mr. Speaker & Gentlemen of the House of Commons:

You will herewith receive for your Concurrence, a Resolve of this House impowering Colo. Long to take into his possession all the Public Waggons, Horses & Military Stores, lately made use of by the State Regiment.

Mr. Speaker & Gentlemen of the House of Commons:

You will herewith receive a Resolve of this House appointing a Deputy Inspector General over the aid of Militia ordered to South Carolina, which we send for your Concurrence.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen of the Senate:

We herewith return the Resolve of your House impowering Colo. Long to take into his possession all the Public Waggons, Horses & Military Stores, lately made use of by the State Regiment; also the Resolve appointing a Deputy Inspector General over the aid of Militia ordered to South Carolina, Concurred with.

The Bill to vest the Title of certain Lands, therein mentioned, in Abner Nash, Esquire, and other purposes, was read the third time, amended by Consent of the Senate, passed and ordered to be Engrossed.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen of the House of Commons:

You will herewith receive, for your Concurrence, a Resolve of this House appointing Thomas Scurlock, Commissary of Issues, for the purpose of supplying the Soldiers & Prisoners in and about Halifax with Provisions.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen of the Senate:

We herewith return the Resolve of your House appointing Thomas Scurlock, Commissary, &c., concurred with.

The Bill for establishing an Academy in the County of Granville, and for appointing Trustees, and for other purposes, was read the third time, amended, passed and sent to the Senate.

Whereas, it has appeared to this House that there is at this time a number of Stray Cattle and Horses in different parts of this State belonging to the Public; Therefore,

Resolved, that the Commanding Officer of each County, where there are any such Strays, be authorized and impowered to appoint some person to take them into possession and deliver them to some of the Contractors or Commissaries imployed in victualing the Troops for the aid of South Carolina, for which a reasonable allowance shall be made by the public.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen of the Senate:

We herewith send, for your Concurrence, a Resolve of this House impowering the commanding officers in the respective Counties to appoint persons to take into their possession the Cattle belonging to the Public.

The Bill to amend an Act entitled an Act for establishing offices for receiving Entries & Claims for Lands, in the Several Counties within this State, for ascertaining the method of obtaining Titles to the same, and for other purposes therein mentioned; and also to amend one other Act entitled an Act to amend an Act for establishing offices for receiving entries of Claims for Lands, in the Several Counties within this State, for ascertaining the method of obtaining Titles to the same, and for other purposes, was read the third time, amended by consent of the Senate, passed and ordered to be Engrossed.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen of the House of Commons:

You will herewith receive, for your Concurrence, a Resolve of this House in favour of John Graham.

Ordered that the following Message be sent to the Senate:

Mr. Speaker and Gentlemen of the Senate:

We herewith return the Resolve of your House in favour of John Graham, concurred with.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen of the House of Commons:

Herewith you will receive, for your Concurrence, a Resolve of this House enjoining the persons, who by this Assembly shall be appointed Deputy Commissary of Military Stores & Deputy Clothier General, to take an oath of office.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen of the Senate:

We herewith return the Resolve of your House enjoyning the person to be appointed Deputy Commissary of Military Stores & Deputy Clothier General, to take an oath of office, concurred with.

Whereas, there is in the possession of Matthew Locke, Esqr., a considerable number of broken Guns belonging to this State, and a broken Waggon belonging to this State, and entirely rendered useless, therefore,

Resolved, that Mr. William Locke take into his possession said Guns and Waggon, and Sell the same by public vendue, or otherwise, to the best advantage, and account for the Money arising from such Sale, with the Treasurer of the District of Salisbury, for the same.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen of the Senate:

We herewith send, for your Concurrence, a Resolve of this House, impowering Mr. William Locke to receive a number of old Guns, &c., a broken Waggon from Matthew Locke, Esqr., to sell the same and pay the Money to the Treasurer of the District of Salisbury.

Received from the Senate the following Messages:

Mr. Speaker & Gentlemen of the House of Commons:

The Resolve of your House impowering the Commanding Officers, in the respective Counties, to appoint persons to take into their possession the Stray Cattle & Horses belonging to the public, you will herewith receive, concurred with.

Mr. Speaker & Gentlemen of the House of Commons:

You will herewith receive the Resolve of your House appointing Robert Rowan, Esqr., Deputy Commissary of Military Stores & Deputy Clothier General, concurred with.

Mr. Speaker & Gentlemen of the House of Commons:

You will herewith receive the Resolve of your House impowering Mr. William Locke to receive a number of old Guns & a broken Waggon from Matt Locke, Esqr., and to sell the same, Concurred with.

At the same time received the Resolves of this House referred to in the above Messages, concurred with.

Resolved, that Robert Rowan, Esqr., before he Enters on the Execution of the offices of Deputy Commissary General of Military Stores and Deputy Clothier General, shall enter into Bond, with sufficient Security, in the Sum of five Hundred Thousand pounds, payable to His Excellency the Governor & His Successors, for the faithful Discharge of the said offices.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen of the Senate:

We herewith send, for your Concurrence, a Resolve of this House requiring Robert Rowan, Esqr., to Enter into Bond, with Security, &c., before he enters into the Execution of the office of Deputy Commissary General of Military Stores, &c.

The Bill to fill up the Continental Battalions of this State, and other purposes, was read the third time, amended, passed and sent to the Senate.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen of the House of Commons:

You will herewith receive a Resolve of this House in favour of Andrew Allison, a wounded Continental Soldier, which is sent for your Concurrence.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen of the Senate:

We herewith return the Resolve of your House in favour of Andrew Allison, concurred with.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen of the House of Commons:

Herewith you will receive, for your Concurrence, a Resolve of this House for embodying a Company for the defence of Ocracock.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen of the Senate:

We herewith return the Resolve of your House impowering the Governor to establish a Company of Militia for the Defence of Ocracock, &c., concurred with.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen of the House of Commons:

You will herewith receive the Resolve of your House requiring Robert Rowan, Esqr., to enter into Bond, concurred with by this House.

At the same time received the Resolve of this House referred to in the above Message, Concurred with.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen of the Senate:

It appearing by the Reports of the Committee of Accounts that there is in the hands of the Chairman the sum of two thousand five hundred & Eighteen pounds four shillings, old proclamation Money, which we propose burning, and desire that the Senate would send some of the Members of their House to see the same done.

Resolved, that His Excellency the Governor with the advice of the Council be and he is hereby invested with power to call a meeting of the Assembly sooner than the first Monday in April next, provided it shall appear to be absolutely necessary.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen of the Senate:

We herewith send, for your concurrence, a Resolve of this House impowering His Excellency the Governor, with the advice

of the Council, to call a meeting of the Assembly sooner than the first Monday in April next, provided it shall be absolutely necessary.

Resolved, that the Clerk of this House be and he is hereby directed to deliver to General William Skinner, or his order, the vouchers belonging to the account he stated against the United States, &c., which was delivered into his care by order of this House.

Ordered that the following Message be sent to the Senate :

Mr. Speaker & Gentlemen of the Senate :

We herewith send for your concurrence, a Resolve of this House directing the Clerk to deliver to General William Skinner, or his order, the vouchers, &c., belonging to the Accounts he Stated against the United States, &c.

Received from the Senate the following Message :

Mr. Speaker & Gentlemen of the House of Commons :

You will herewith receive the Resolve of your House impowering His Excellency the Governor, with the advice of the Council, to call a meeting of the Assembly sooner than the first Monday in April next, provided it shall be absolutely necessary, concurred with by this House.

Received from the Senate the following Message :

Mr. Speaker & Gentlemen of the House of Commons :

You will herewith receive a Resolve of this House in favour of Martin Armstrong, which is sent for your concurrence.

Ordered that the following Message be sent to the Senate :

Mr. Speaker & Gentlemen of the Senate :

We herewith return the Resolve of your House in favour of Martin Armstrong, concurred with.

Received from the Senate the following Message :

Mr. Speaker & Gentlemen of the House of Commons :

You will, with this, receive the Resolve of your House directing the Clerk to deliver to General Skinner, or order, the vouchers, &c., therein mentioned, concurred with.

At the same time received the Resolve of this House referred to in the above Message, Concurred with.

Resolved, that each of the Members of the Council of State be allowed the additional Sum of Ten Dollars per Day to what they were allowed by Act of Assembly for each Day they shall be on duty as Councillors of this State.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen of the Senate:

We herewith send, for your Concurrence, a Resolve of this Honse for allowing an additional Sum of Ten Dollars per Day to the Members of the Council of State.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen of the House of Commons:

We herewith return the Resolve of your House allowing Ten Dollars per Day to the Councillors, Concurred with.

At the same time received the Resolve of this House referred to in the above Message, concurred with.

The business of the Session being ended,

Resolved, that the Speaker sign the several Acts as the Acts of Assembly, and the Journal as the Acts of this House.

Resolved, that the thanks of this House be given to the Honorable Thomas Benbury, Esquire, for his able, faithful and public Spirited Services as Speaker of the House of Commons.

By Order J. HUNT, C. H. C.

A list of the Members of the House of Commons:

Robert Smith.	Samuel Cain.
Robert Peebles.	Thomas Brown.
Willie Jones.	Samuel Williams.

Henry Montford.
Joseph Hawkins.
John Macon.
William Haywood (dead.)
Robert Tripp.
John Kennady.
James Gorham.
John Williams (Pitt).
Frederick Hargett.
Hardy Bryan.
John Blackstock.
Willis Bright.
Edward Starkey.
John Campbell.
William Boyd.
Phil. Hawkins.
Benjamin Spruill.
Joshua Swain.
James Campbell.
Miles Abernathy.
John Hinton.
Benjamin Williams.
Richard Clinton.
Lewis Bryan—dead.
Thomas Reading.
Charles Medlock.
William M'Cauley.
Mark Patterson.
Daniel Gillespie.
John Kimbrough.
Thomas Person.
Timothy Bloodworth.
Thomas Tullock.
William Horn.
James Vaughan.
William Hooper.
Thomas Sherrod.
Gray Bynum.
John Norwood.
John Arnold.
Elisha Isaacs.
Jesse Walton.
Henry Clark.
Jacob Shepperd.
Moses Winslow.
William Baker.
John Humphreys.
Caleb Grandy.
Augustin Willis.
Richard Spaight.
Robert Abernathy.
James Gillespie.
Stephen Miller.
John Johnston.
William Wynns.
Caleb Phifer.
David Wilson.
Abram Shepperd.
John Luttrell.
Tho. Younghusband.
James Hunter.
Jacob Hunter.
Joseph Hancock.
Peter Farrow.
Matthew Lock.
James Howard.
William Morrison.
Samuel Smithwick.